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JOHN CHARLES MOLTENO





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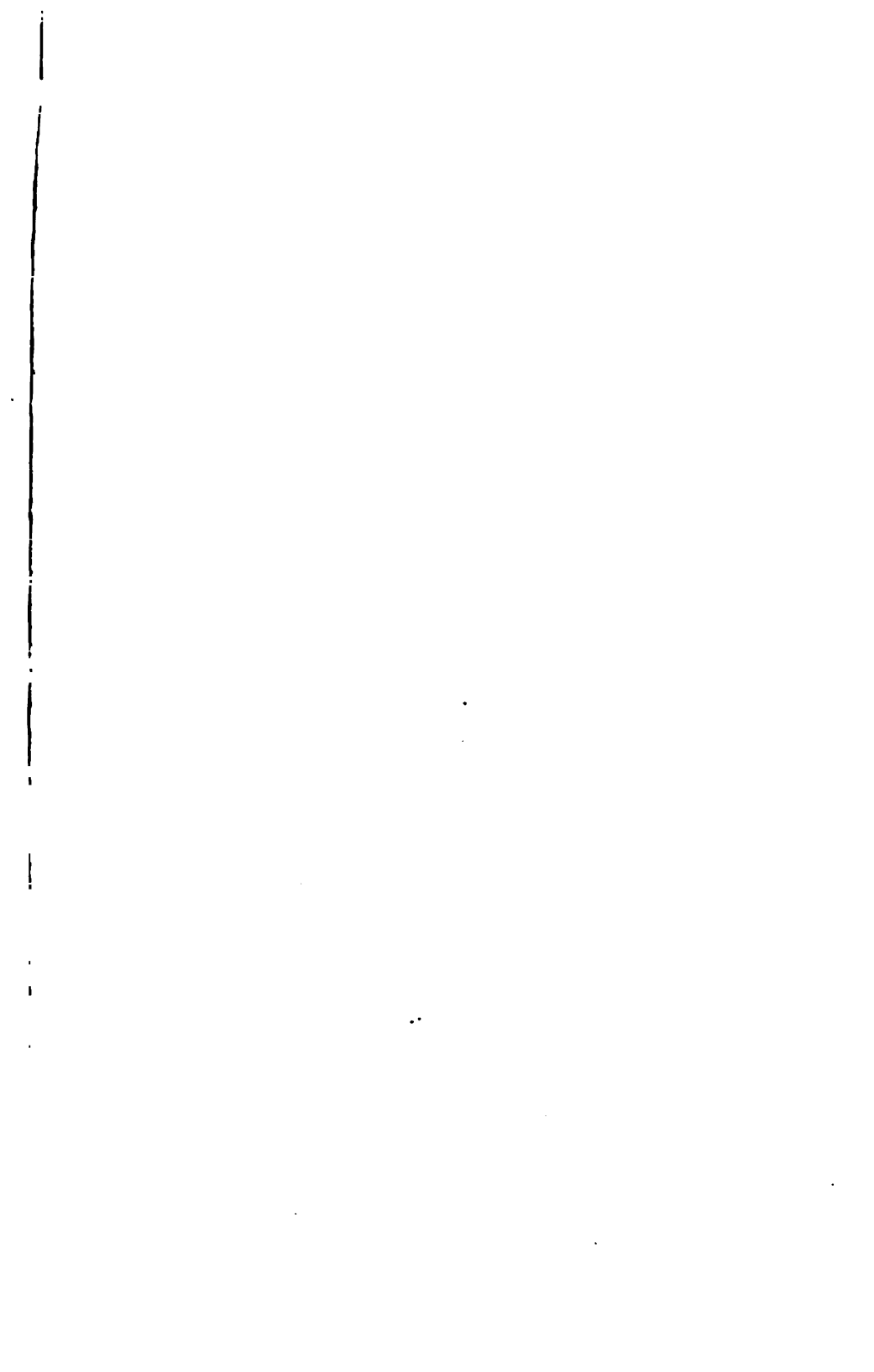




**SIR JOHN CHARLES MOLTONO**  
**K.C.M.G.**

**VOL. I.**







W. H. & C. Co. N. Y.

*J. C. Miller*

*at age 58.*

*From a photograph taken in 1872.*

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# THE LIFE AND TIMES OF SIR

**J.C.M.G., First Premier of Cape Colony,  
Comprising a History of Representative  
Institutions and Responsible Government  
at the Cape and of Lord Carnarvon's  
Confederation Policy & of Sir Bartle Frere's  
High Commissionership of South Africa.**

OLITENO. COLLEGE OF THE HOLY TRINITY, AFRICA

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JO. V. TERLO 1 PLACE

1931-1932



1891

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by

**P. A. MOLTENEO, M. A., LL.M., TRINITY COLLEGE, CAMBRIDGE,**

**AUTHOR OF "A FEDERAL SOUTH AFRICA"**



**VOL. I.**

**LONDON: SMITH, ELDER & CO., WATERLOO PLACE**

**1900**

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## PREFACE

THE lessons to be derived from a study of the life and times of Sir John Molteno are numerous and valuable to the student of the history of the Empire and of South Africa. No attempt has hitherto been made to write a history of the more important periods under consideration in these pages. Yet in no country are the lessons of history and its continuity more important or more striking than in South Africa, and in none have more disastrous results followed upon the neglect of its plain teachings. The unenviable position which South Africa occupies to-day as the portion of the Empire presenting the most serious difficulties with which statesmanship has to deal has been brought about by the mistakes made in attempting to rule it from afar, and to force on it a policy conceived in ignorance of its real conditions.

To the intimate knowledge of the character of the Cape farming population was due the success of Mr. Molteno's administration. Misfortune, as it seemed at the time, drove him from Cape Town to live among them and to fight a campaign against the Kaffirs as their companion in arms.

The insight thus acquired was of rare value in estimating the true nature of a people otherwise most difficult to understand.

Mr. Molteno was one of the band of strenuous Englishmen who have made self-government in the colonies what it is. They laid the solid foundations of British rule

in South Africa, notwithstanding and in spite of all the fatal errors on the part of the Imperial Government and its officers, which, but for such men as Mr. Molteno, would have resulted in the loss of South Africa. Under him, in South Africa colonial history took its normal course—the continued assertion of the right of self-government.

There is also an Imperial side to the services which these men have rendered. They have vindicated British liberty and self-government, they have adapted and administered British constitutional principles in countries whose circumstances differ in every other respect from Great Britain. They have made possible the freedom and progress which are now to be found wherever Englishmen have settled throughout the world ; indeed, the self-reliance and power of self-government which these men exhibited in common with those of a similar character in the other colonies have made possible the existence and coherence of the vast Empire which we see to-day. Its varied and world-wide series of States could not be governed from a central office in Downing Street. Only by the automatic action of self-government in each part could the varied problems which arise be dealt with successfully. With this specialisation of function in the different parts of the Empire, there has gone the higher integration comprised in the sentiment of a common origin and a common purpose ; as the formal bonds have been released so have the sentimental bonds increased in strength. Ether is said to possess in one direction the most perfect elasticity and fluidity imaginable, and in another the properties of a rigid solid. Of a similar character must be the properties of the bond which unites the different parts of the Empire. Perfect freedom for self-government in the members—the resistance of adamant to aggression against the whole.

My object has been to place before my readers the truth, and nothing but the truth. I had the fortune to

meet at Government House, Pietermaritzburg, the then Commander-in-Chief in South Africa, who had just returned from an inspection of Majuba. With fiery indignation he described how the reports which had been given of the physical conditions of the approaches to that position were lies, absolute lies. The approach to it had been represented as covered with boulders and scrub, while to use his own expression, 'I could see a terrier run from the bottom to the top, so smooth was it.' He asked, 'How can we learn the lessons which our past mistakes and disasters should teach us if, to ease our national pride, we are not allowed to know the truth?' Our errors in South Africa must be known if we are to learn the lessons which they should convey to us. 'The best prophet of the future is the history of the past.'

The book has run to far greater length than I could wish, and for this I owe an apology to my readers; but in my defence I can only say that the materials are voluminous and are extremely difficult of access—much is also in manuscript. It has been my object to place my readers in a position to judge for themselves by allowing the principal actors to speak in their own words. The great importance of the subjects of Responsible Government, Confederation, and Sir Bartle Frere's governorship have rendered brevity impossible. These subjects were also highly controversial.

I have not attempted to deal by separate notices with the errors into which Mr. Martineau in his *Life of Sir Bartle Frere* has fallen as regards matters of fact—such, for instance, as his description of Mr. Molteno's attitude towards the annexation of Damaraland (at p. 191, vol. ii.), or as to his alleged concurrence in asking for reinforcements (p. 208, vol. ii.), or as to his alleged refusal to take the Attorney-General's opinion (p. 209, vol. ii.), and many others. Mr. Martineau unfortunately possessed no local or special knowledge of South Africa or its history, and it was natural for him to fall into error. In regard to the dismissal of

Mr. Molteno's Ministry, he makes no attempt to deal adequately with what he admits was a step unprecedented in colonial constitutional government. He devotes two pages to this subject, a treatment which he would hardly venture to assert was adequate.

I have received most valuable aid, which I desire to acknowledge, from the late SIR HENRY BARKLY, whose death has prevented him from carrying out his intention of expressing in a fuller manner than he does, at p. 457, vol. ii., his appreciation of Mr. Molteno's services. The HON. C. ABERCROMBIE SMITH, Auditor and Controller of the Cape Colony, has most kindly assisted me in the compilation of figures from the public and official documents connected with the public accounts, and the expenditure on war as well as on defence.

Mr. ERNEST KILPIN, Clerk of the Legislative Assembly, has given me most valuable aid in rendering available the materials under his charge connected with the history of the early sessions of the Cape Parliament. It remains for me to add that the text was completed before the outbreak of the war which is now proceeding in South Africa.

P. A. MOLTENO.

*January 1900.*

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## ABBREVIATIONS

I. P. = Imperial Parliamentary Papers.

C. P. = Cape Parliamentary Papers.

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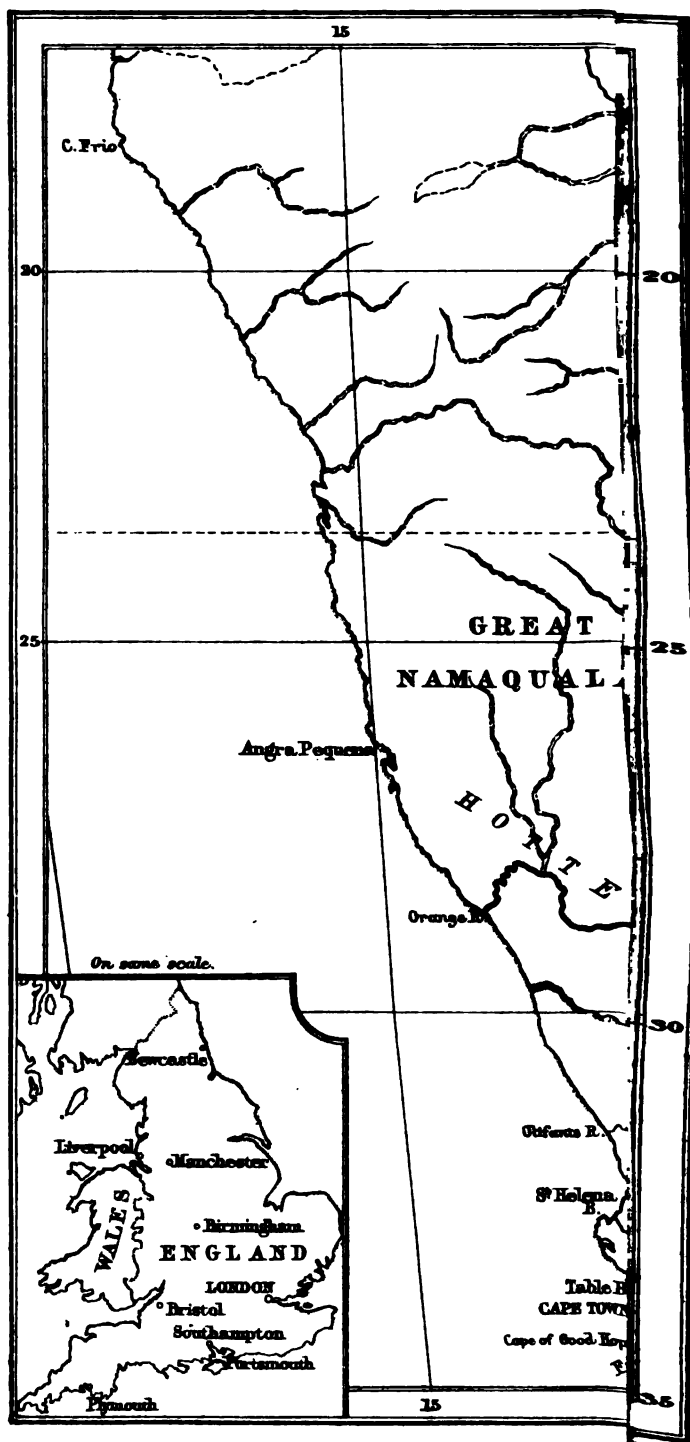
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# LIFE AND TIMES

OF

SIR JOHN CHARLES MOLTENEO, K.C.M.G.

## CHAPTER I

EARLY LIFE. 1814-43

Birth and Parentage—Descent—His Mother—Education—Early Business Experience—Goes to South Africa—Starts a Business at Cape Town—Enterprise and Energy—Closes Business—His Life at Cape Town.

JOHN CHARLES MOLTENEO was born on the 5th of June, 1814, three months before the final cession of the Cape of Good Hope to England, and one year before the battle of Waterloo. The stirring events of the time in which he was born were reflected in his christian names. It was said he was called 'John Charles' after Napoleon's General Bernadotte, who at this time was making a considerable stir, and who became King of Sweden in 1818. These were the days of Catholic disabilities. His father, John Molteno, was a Catholic, and the boy's birth was registered at the Bavarian Ambassador's Chapel in Warwick Street. Mr. Molteno was in the home Civil Service at Somerset House, and he died at an early age, but he had already attained to the position of a Deputy-Controller of Legacy Duty, while he had also qualified himself to practise as an attorney of the King's Bench. His wife was Caroline Bower, a daughter of Mr. George Bower, whose family have been connected for generations with the Bank of England, and who himself occupied the

position of head of one of the legal departments in that great institution.

As the surname indicates, the family was originally of Italian descent, though already settled for some generations in England. Three brothers had come over from Italy with their friends the Colnaghis, the founders of the well-known firm of printers and lithographers in Pall Mall. Italy is a country of very ancient memories and records. Leland tells us that there are still families extant whose names are to be found written in Etruscan characters on ancient monuments upon the estates of which they are still in possession.<sup>1</sup> If this cannot be said of the Molteno family, it is nevertheless sufficiently ancient. An old chronicler thus explains the origin of the name: 'The noble signors, after the destruction of Milan by Uraja, who had retired among the surrounding villas, seeing the danger of their situation, turned to Milan, and, that they might be distinguished family from family, preserved, every one of them, as a distinctive name, the name of the district or villa from whence they came. And in this manner many of the Milanese families had their origin from the Brianza: such names are the Pirovano, the Brevio, the Osnago . . . the *Molteno* . . . all noble families whose names occur in our most ancient charters and historical documents, and all now extant.'

If we ascend to the roof of the Cathedral at Milan and look northward to the line of Alps, we are struck by the peculiar serrated ridge of the mountain Il Resegone (the Saw), which marks the extremity of the Lecco arm of the Lake of Como. All who have read Manzoni's novel, 'The Betrothed,' will remember the description of the country

<sup>1</sup> 'Englishmen and Frenchmen are the result of modern mixtures of people, but the Italians, like Hawthorne's Marble Faun, are absolutely ancient, if not pre-historic. There are families in Italy who find their family names in Etruscan monuments on their estates.' P. 11 of *Introduction to Etrusco-Roman Remains*, by C. G. Leland.

with which he opens the narrative. In this neighbourhood the crested Alps cease, and are represented by subdued ridges and isolated hills, interspersed with small lakes, together comprising a country celebrated for its beauty and fertility. This is the Brianza or Bel Paese. The hills finally pass into the level plain in which lies the great city of Milan. If we proceed over the bridge at Lecco along the Via Promessi Sposi, passing the lakes of Anone and Pusiano, very charming in their quiet beauty, after traversing a distance of nine miles we arrive at the small town of Molteno, situated on one of the isolated hills, the slopes of which are covered with vines and mulberry trees; the church towers above the town, crowning the hill top and commanding extensive views from its broad steps. The houses cluster in narrow, crooked streets about the lower slopes and base of the hill. This is the spot which gave its name to the family of Molteno. It must have formed a strong position as a fortress, and though the castle has disappeared, the spot is still known as the Piazza di Castello. Here they founded a church, and for many years held the patronage in consequence.<sup>1</sup>

The name of the family of Molteno occurs frequently in the early history of the Brianza. While retaining possession of Molteno they were among the leading families of Milan, and came into especial prominence at the time of the great struggle between the Emperor Frederick Barbarossa and the municipal towns of Lombardy. The family of Molteno are specially mentioned as having taken part in the negotiations with Frederick relative to the surrender of their native city in the year 1162.<sup>2</sup>

<sup>1</sup> See *Teatro Araldico*, Lodi, 1848, vol. iii.

<sup>2</sup> Milan was at this time the first city of Italy, and headed the league which had for its object a determined resistance to the pretensions of the Emperor to the exercise of rights which had long fallen into abeyance. Frederick Barbarossa, the imperious and energetic representative of the Roman Emperors, led from Germany seven successive armies against the Lombard towns; the brunt of the struggle fell upon Milan. Having attacked her with an army of 15,000 cavalry and 100,000 foot she successfully repelled his assault, and so little was



The historian Galvaneus Flamma mentions them by name as one of the thirty-one commissioners appointed to treat with the Emperor, while the chronicler of the Counts of Angleria mentions Menaduxius de Molteno amongst those who aided and gave passage to Frederick when he attacked the Counts of Angleria, who claimed feudal lordship over them. These families, in common with their class, were eager to assert their independence of all feudal control; their position would be almost analogous to the imperial knights found in Germany and Austria at the end of the last century. Flamma says they did not consent to the destruction of Milan, which followed upon the surrender to Frederick, but merely to the destruction of the counts. Crescenzi (di Pietro) tells us that the family of Molteno were friendly to the Emperor, giving passage to him as above, and that he 'confirmed the privileges, increased the titles, granted the bearing of the imperial eagle, crowned and named barons of the empire the families of Casati . . . and Molteno.' A coat of arms with the imperial eagle crowned on a field of gold, has been handed down in the family to the present day.<sup>1</sup>

Fagnani, whose work is the authority on the nobility of Milan, and who wrote at the beginning of the seventeenth century, says: 'We have gathered from many ancient writings that the family of Molteno is a very ancient and noble family.'<sup>2</sup>

The family continued to take an important part in the

gained that peace was made as between equals. The proud Emperor determined to humble the pride of the cities. He led a new army of 100,000 men against Milan. He did not dare to attack the town directly, but ravaged their territory for several seasons in succession, destroying their crops, and thus starved the town which he could not take by assault. Milan was compelled to yield to famine.

<sup>1</sup> The *Dizionario Araldico* says the bearing of the Black Eagle on a ground of gold denotes a brave and intrepid mind, accompanied by the favouring circumstances of a stable good fortune ('di nero in fondo d'oro dimostra un animo forte e intrepido in mezzo ai favori della stabile fortuna').

<sup>2</sup> Codici MSS. entitled *Fagnani Famiglie*, p. 106.

various leading events in the subsequent history of Milan. We find Georgius di Moltano appearing as the head of the great College of Advocates and Notaries at various times from 1403 to 1435. In 1448 Phillipus di Moltano was one of the thirty-six men who were added to the twelve 'leaders of liberty' of the Republic of Milan after the death of the Duke Philip Maria Visconti. In 1447, among the councillors 'returned to the general council of the Republic of Milan, and elected as the best, wealthiest, and most useful citizens, and as loving the peaceful condition of their country,' appears Petrolus di Moltano. While among the 150 nobles elected for the purpose of preferring the oath of fealty to the eldest son of Galeas Maria Sforza, Duke of Milan, are found Petrus, Joannes, Christopher, and Henricus di Moltano, as well as Ambrosius di Moltano, all elected for various quarters of the city, showing that at this time they were a numerous and important family. About the year 1498 a Moltano is found in charge of the works in connection with the building of the cathedral. Mention is made of them in the works on the history of Milan and Lombardy at various periods ranging from the sixteenth century down to modern times.

The reader will remember that Italy was the first country in Europe during the fourteenth, fifteenth, and sixteenth centuries, in wealth, in literature, in art, in music, and all the forms of expression of the highest civilisation. It was the cradle of our modern civilisation, which spread itself northwards to France, Germany, and England. The subsequent history of Milan was an epitome of the history of Italy. Attacked by the French, the Spaniards, and the Turks, all at the same time, it succumbed. The French under Louis XII. took possession of Milan and held it for twelve years from the year 1500. It was again conquered in 1515 by Francis I. When Francis was defeated at the great battle of Pavia in 1525, Charles V. annexed it to the Crown of Spain, and so it remained until the year 1714,

when it was handed over to Austria, who retained it until 1796. Upon their acquisition of Milan in the sixteenth century, the Spaniards took effective measures to suppress all national feeling and all aspirations for public liberty. The fortunes of the citizens of Milan decayed with the fortunes of their country. Their splendid spirit was sapped, and no career was left open to its sons; many sought freedom in distant lands.<sup>1</sup>

Mr. John Molteno died in 1828 at an early age, leaving to his wife the care of a young family. This lady was a woman of powerful character, and she courageously undertook the duty which now fell upon her alone. One who personally remembers her says: 'I recollect her as she was when about 70 years of age as a very beautiful old lady, erect and with a very fine bearing, nothing old about her; very dainty in her dress; a delightful memory in every respect. She was devoted to the little ones, and seemed to

<sup>1</sup> The following authorities have been consulted, and further mention of the family will be found in them:—

Galvaneus Flamma, the celebrated chronicler, born at Milan in 1283; his Chronicle was written about 1300. *Anglerias Chronicon ejusque Comitum ab anno 606 ad 1280*; a manuscript of the end of the sixteenth century in the Ambrosian Library at Milan. Gio. Pietro Crescenzo published his work upon the nobility of Milan between 1630–1640. Placido Puccinelli, Milanese historian; lived about 1650. Giovanni Sitone di Scozia; he published his work on the Noble Families of Milan in 1705. Francesco Giuseppe Benaglia; published his *Elenchus Familiarum in Mediolani Dominio Feudis Jurisdictionibus Titulisque insignium* in 1714. Fagnani; his *Famiglie* is in manuscript in the Ambrosian Library. It is the authority upon the nobility of Milan; three pages are devoted to the family of Molteno, written about the beginning of the seventeenth century. Its reference to the family begins thus: "Moltenorum familiam satis vetustam et nobilem ex multis vetustis scripturis colligimus." Giovanni Antonio Perocechio; *Storia Sepulcrale*, a manuscript of the seventeenth century. Giuseppe Allegranza; *Inscriptiones sepulcrales Ecclesias Mediolanensis*, 1773. Frisi; *Memorie di Monza*, 1790. *Dictionnaire de Géographie de l'Italie et de la Lombardie*, art 'Molteno.' Pavia di Moriga; *History of Milan* (Venice, 1591). *Corografia dell' Italia*, by Rampoldi, 1833, see 'Molteno.' This is in the British Museum. *Teatro Araldico, ovvero raccolta generale delle armi ed insegne gentilizie delle più illustri e nobili casate che esistarono un tempo e che tuttora fioriscono in tutta l'Italia*, da L. Tettoni e F. Saladini: Lodi, 1843. See 'Molteno di Milano.' This work is in the Cambridge University Librar.

be always welling over with love, and not to know how sufficiently to give expression to it.'

Young Molteno, the subject of this narrative, received his education at the old Rectory at Ewell, that charming Surrey village so well known to frequenters of Epsom, where Dr. Harcourt presided over his studies. He exhibited a fine intelligence and considerable capacity, and several prizes fell to his lot. He was well grounded in arithmetic, while the usual stereotyped course of Latin grammar and recitation of Latin poetry was also looked upon as an important accomplishment, as it is to-day in most public schools. To the date of our death we can most of us quote from memory all the rules of Latin prosody, '*nominativus pronominum raro exprimitur*,' and the rest, and so it was with Mr. Molteno; to the day of his death he could quote these rules as well as many passages from the Latin classics. His education was necessarily not prolonged, and he was placed in the office of Mr. T. Dennis, a ship and insurance broker, of Langbourne Chambers, next door to what subsequently became the offices of the Castle Line, so well known to South Africans. His duties brought him in contact with ships arriving from all parts of the world. Eventually it became a question as to what career he would adopt. There was an opportunity of an appointment in a bank, but the glimpse he had seen of the outer world by his contact with ships from every part had already stimulated his eager and energetic character, and it implanted in him a desire for greater freedom than life at a desk could afford.

The sea and ships had a great fascination for him. He was always eager to step on board a ship newly arrived and to learn all the news of the voyage, and of the country whence it had come. His love of the sea was a strong characteristic all through his life; he was never happier than when on board ship, up on deck at all hours making out

the points of the coast-line or the well-known lights. This characteristic was probably connected with his intense love of liberty and freedom—the pleasure we experience on seeing a wide and extended view is said to be largely made up of this sense of freedom.

Through Mr. J. M. Richardson, the publisher, of 23 Cornhill, a friend of his father, an introduction was secured to Mr. Johnstone Jardine, who was Librarian of the Cape Public Library. His duties would be to assist Mr. Jardine in the Library, but it was understood he would have considerable leisure, which he might employ in writing for one of the newspapers or otherwise. In forwarding him the letter of introduction Mr. Richardson gave him some sound advice, which holds good to-day: ‘You see therefore that much will depend upon your own assiduity and attention, but if you conduct yourself with the propriety I fully expect, and indeed rely upon, I am sure Mr. Jardine, to whom I have written to entreat it in the letter for that gentleman which you take with you, will afford you every encouragement in his power; in whatever situation of life you may be hereafter placed, never be satisfied with just doing what may be rigidly expected from you, but always do more—anticipate people’s wants and even wishes, and you will soon become so necessary as to be sought after on all hands, and your advancement will be the certain consequence.’

Under these very favourable arrangements, which provided a home for him with Mr. Jardine and some fixed work, with an opportunity of further possibilities, Mr. Molteno proceeded to the Cape in the year 1831, having attained the age of seventeen years. His mother was extremely loth to part with him; indeed, she never became quite reconciled to his self-chosen banishment to what she regarded as a barbarous country swarming with blacks. Day after day, when her son left, she would walk to some elevated spot, where she would gaze towards the sea over which he had passed, and we shall find

later in his letters evidence that for many years she was not satisfied that he should be in such a country. A journey to the Cape was in those days a very serious undertaking, the voyage extending over a period of from three to four months. The arrival of the Cape Packet was an event in Cape Town, and those who remember Mr. Molteno at this early period describe him as a handsome young man of very prepossessing appearance, his regular features being set off by a remarkably clear complexion, the envy of the Cape young ladies. His family was a particularly handsome one, and the portraits of several members engraved by Bartolozzi are still in existence. He was of slight build at this time, and a little above the medium height.

His occupation in the Library gave him an opportunity of becoming acquainted with the country, and it soon proved to be too narrow and restricted an opening. An occasion at length arose of embracing a career more in accord with his active character, and he took the place of a young Ebden, who had just started for Australia, in the office of John Bardwell Ebden, a leading citizen of Cape Town. He improved his commercial knowledge in this way, and, acting upon the advice of Mr. Richardson, he threw himself heart and soul into the business on which he was engaged. He soon saw an opportunity of venturing in business on his own account.

After conducting some commercial adventures on a small scale, he started a business under the style of Molteno and Co. This was in 1837, when twenty-three years of age. In this year he directs Mr. Richard Witherby, of 29 Nicholas Lane, his London correspondent, to transfer his balance with him to the new firm. This firm carried on a mercantile business for some years. Wine was the chief export at the Cape—indeed, almost the only export at that date—and the business was therefore dependent upon the prices realised for this article in London. Mr. Molteno showed his enterprise and activity in the conduct of this business. He immediately

opened up a connection with Grahamstown, at that time the extreme frontier town of the colony. Mr. G. Southey, brother of Sir Richard Southey, was his agent there. He carried on business with Mauritius, shipping wine and wheat and receiving sugar in return, his correspondents being Messrs. Edward Francis and Co., to whom he had been introduced by Messrs. Home, Edgar, and Co. In the history of the development of the products of the Cape it is interesting to note that some small shipments of wool from Algoa Bay are first mentioned in March 1838 and January 1839, while in the same year Cape aloes are mentioned as an export of the country. In this year he purchased a block of land in Roeland Street, Cape Town, where he constructed very considerable warehouses of a most substantial and enduring character. They are still to be seen, a monument to the thoroughness of his work.

In 1839 he writes : ' We have had a deficient harvest and large importations of wheat and flour from all parts of the world, consequently money is exceedingly scarce and business generally depressed. There has lately been much excitement in consequence of proposed alterations in the Usury Laws. You may perhaps find amusement in perusing some of our late papers, which are quite taken up with the subject ; ' and in 1840 he writes to Mr. Witherby to say that the results of the sales are very disastrous, that he can ship no more white wine, but would send a small quantity of Pontac.

Another opening was now sought for, a trade in a new direction. He chartered the brig *Comet* to load in Table Bay and to proceed to the ports of Adelaide, Port Philip, and Swan River, in Australia. She was to dispose of her cargo in these ports and proceed to Java, returning to the Cape with a cargo of sugar. Her cargo, put on board in Table Bay, consisted of wine, raisins, brandy, and a few other articles. This venture did not turn out to be of a profitable character, as the condition of trade in the

Australian ports was very depressed, and the disposal of the cargo there was a matter of extreme difficulty. In 1841 he writes: 'As the quantity of wool grown in the colony has greatly increased of late, and bids fair to be very considerable in the ensuing season, we shall feel obliged by your giving the article some attention.' The condition of the wine market had now become extremely unfavourable. The new treaty with France was being mooted, and a public meeting was held in Cape Town urging the Home Government not to lose sight of the colony's interests entirely. As an evidence of the extended character of his operations we may mention that in this year he loaded, in conjunction with Messrs. Hudson, Donaldson, Dixon, and Co., the leading merchants of Cape Town, in half shares, the schooner *Joshua Carral* with a full cargo of wine.

In 1842 he describes one of the disastrous storms which visit Table Bay from time to time. There was then no breakwater, which now gives security to the harbour. He says: 'As you will see by the papers, we have had some bad weather, seven vessels were driven ashore in Table Bay. The *Waterloo* was a convict ship bound to Van Diemen's Land, and, being very old and quite rotten, she went entirely to pieces immediately on taking the beach, so that it was only with the greatest difficulty that about one-third of the people on board were saved. About 190 convicts, seamen, and soldiers perished close to the shore. It was an awful sight. It is extraordinary that the Government should take up such unseaworthy ships.' His concluding remarks give us an interesting indication of his attitude of mind towards public abuses, of which he was to give further evidence in his parliamentary career when he criticised the shortcomings of the Government with so much vigour and power.

The price of wine continued to fall in the European market. In a business where the purchases of wine from the producer must necessarily be made a considerable time



before shipment, and where the delays interposed by the length of the voyage before it could reach the market were so considerable, a great fall in values led to changes in price disastrous to the exporter. In November 1842 his firm write that they will make no further shipments of wine, owing to the ruinous price of 8*l.* per pipe. In 1842 they write, in acknowledging the sales of wine: 'White wines per *Martha Jane* at 8*l.* per pipe, less brokerage, and 44 hogsheads per *Deborah* at 7*l.* 10*s.* This is miserable indeed.' In consequence of these continued losses we find that he determines to abandon mercantile affairs for a time.

He had embarked his capital and his energy in this business; he had attempted to open up new markets both in England and on the Continent and in the East, but all to no purpose; the business had not the elements of success in it, and he saw this in time. He writes: 'In consequence of the continued depression in the wine trade we have determined to abandon it, and have now taken the necessary steps to bring our business to a close at the end of this year; after which time any outstanding transactions will be settled by our chief, Mr. J. C. Molteno, to whom be good enough to address after the receipt of this letter.'

He finally closed his relations with Mr. Witherby on the 8th of March, 1843. 'As before said, it is my intention to give up, at any rate for the present, all mercantile pursuits. As I leave town in a few days and shall not return for some time, you will not perhaps hear from me so regularly as you otherwise might have done. Regretting, as I most sincerely do, that our long and pleasant correspondence should be brought to a close under circumstances so painful and, to me, I might add, so disastrous.'

Mr. Molteno found that the principal export of the Cape Colony was failing it; some new product must be developed, and the land must be made to yield some return in articles of exportable value to Europe, if business were to be carried

on at all. He now believed that in wool such an article was to be found. In the early part of August, 1840, he had, in company with other gentlemen from Cape Town, paid a visit to the district of Beaufort West, where a considerable sale of land by the Beaufort Grazing Company was to take place. At that time there were no roads into the interior, the mountain ranges had not yet been pierced, the rivers were all unbridged. Twenty days by ox waggon were passed on a journey which is now accomplished in as many hours by the railway subsequently authorised under Mr. Molteno's Government.

But before we proceed to this new chapter in his career we must say a few words as to the life in Cape Town which he was about to abandon. Englishmen were comparatively few in the Cape Colony, and were in consequence drawn together and formed a little community to some extent by themselves. Martin, who had visited the Cape on several occasions about this time, describes the Englishmen he met there as being 'shrewd, generally intelligent, solicitous for political liberty, careful of its preservation, hospitable to strangers, and enterprising in their commercial pursuits.'<sup>1</sup> Quinn, Grissold, Fredrickson, Ebden, and Prince were men with whom Mr. Molteno was associated, and whose names were well known at the Cape. Some of them formed a society in the same house together.

Mr. Molteno wrote home to his mother about this time :—

The seasons do indeed come fast round; I have now been upwards of eleven years away from you. I did think that in this time I should so far have succeeded as to be able to see you all again, if still alive, but in this I have been greatly disappointed. The chance of my returning home seems now more distant than ever. Although I have not succeeded in pecuniary matters, I have gained what is of infinitely more value—sound views on religion and a firm conviction of the vain and transitory nature of

<sup>1</sup> See Martin's *British Colonies*, vol. iv.

the things of this life. Used as I generally am to writing merely on matters of business, I confess I am often at a loss in writing private letters (in this I find I am not singular). You need, my dear mother, I trust, be under no apprehension as to my religious views, although it is true I do not often write much on the subject; but you must not therefore come to the conclusion that I think little on it; quite the contrary. I hope and trust that no act or deed of mine is uninfluenced by religion.

Mr. Molteno was always devoted to animals; his dogs and his horses were his intimate friends. His favourite exercise was riding. All through his life he was addicted to plenty of fresh air, and to a certain amount of solitude, which appeared to be favourable, if not necessary, to the full working of his intellect and character. His kind, energetic nature was appreciated by his four-footed friends, and there existed a vigorous attachment for him on their part. He was always an early riser. His dogs would rush up to his room as soon as the house-door was opened, and never rest until they were admitted. His horses were always of the highest spirit, indeed even unridable by any other.

Those who knew him at this time speak of the energy and activity with which he worked, and the determination to succeed which moved him. But, as we have seen, the nature of things was against him by reason of the continuous fall in the value of Cape products. He now abandoned mercantile affairs for nearly ten years. It was not until the year 1852 that he again started a business, which became eminently successful under his initiation and management.

## CHAPTER II

## LIFE AT NELSPOORT. 1843-46

Acquires Land at Nelspoort—His Marriage—Journey to Nelspoort—Physical Features of Country—The great Karoo—Its Climate—Isolation of Life—Death of his Wife—Life on the Farm.

MR. MOLTENO'S position was somewhat disheartening, for he had lost a considerable portion of his capital in his mercantile undertakings. But, while still engaged in business, he had acquired a considerable area of country in the Beaufort district. He had watched the development of the export of wool, and he determined to place his main reliance on this staple product. There was at that time no woolled sheep in that part of the country, the native sheep being a hairy animal with the well-known broad, fat tails, and there were only one or two isolated flocks of merino sheep in the Colony. As far back as 1841, Mr. Molteno had imported two Saxon merino rams for his property at Beaufort West, and he now determined to move thither. Upon its purchase it had been managed by Mr. Naylor, and subsequently by Mr. Alexander Ross. Before finally leaving for Beaufort he visited Grahams-town, in the early part of 1843, and closed his business in that district. The remainder of this year he was occupied in closing his Cape Town business, and preparing for his departure to Beaufort. His great warehouses in Roeland Street were purchased by the Government.

He now married a lady with whom he had been acquainted for many years, and she accompanied him up the country. His mother was not yet reconciled to his residence in South

Africa, though it was now thirteen years since he had left England; while he had become attached to the country, and rather resented any suggestion of its not being in every way most desirable, as the following letter shows:—

I hope, my dear mother, you will in future entertain a better opinion of the Cape: believe me, it is by no means what you would suppose it. With regard to my wife, I have every reason to be satisfied with my choice. She was a member of the same family I resided with for the last eight years, and, consequently, we understood each other's tempers and dispositions perfectly. Although she never resided out of Cape Town, she is perfectly happy and contented with our country life; indeed, I may truly say (and in being able to do so I humbly thank God) we are both perfectly happy; and depend upon it, dear mother, happiness is not confined to any particular part of the world, but the Almighty has so ordered it that it is just as easily found in the wilds of Africa (as you are pleased to term this colony) as it is in England. 'The best society is of virtuous thoughts; no evils can deprive a man of this city; no prison of this society; no pillage of these riches; no bondage of this liberty.' I much wish you could obtain a good account of the Cape; perhaps you may be able to get the loan of some recent work, as there are several. If you were so fortunate as we are at the Cape in having a Public Library of 30,000 volumes to resort to, you would experience no difficulty in this respect.

In order to obtain some idea of the isolation of the life to which he was now committing himself, we may describe the physical features of the country, and the difficulties which presented themselves in the way of communication. We shall thus further be enabled to obtain some knowledge of the barriers to trade and development, in the removal of which Mr. Molteno spent a considerable part of his life. The surface of the Cape Colony rises in a succession of precipitous terraces to an elevation of 3,000 or 4,000 feet. Each terrace is bounded towards the south by an elevated wall of bare and rocky mountains, pierced at infrequent intervals by 'poorts,' or passages which permit the drainage of the higher plateaux to pass on to the terrace below.

These poorts are driven through hard sandstone rock and present features of great grandeur. Their general character is epitomised in the name of that passage which permits the lion of the Karoo, the great Gamka river (so named by the Hottentots, no doubt by reason of its tawny colour as well as its impetuosity) to pass through the Schwartzberg range on its way to the sea ; it is named 'Hell Poort.' Whether formed by the rushing tide of some great pent-up lake first over-topping and then cutting through its southern barrier, or by some other convulsion of nature, is uncertain ; but the evidences of some vast force are plainly visible. A narrow gorge, flanked by towering masses of naked rock which rise to a height of several thousand feet, creating a recess into which the sun rarely penetrates ; the whole width of the gorge occupied by the rough bed of the mighty torrent, which from time to time passes through, hurling along masses of rocks and trees.

It may be well imagined that a passage for vehicles through gorges of this character was well-nigh impossible ; indeed, this was generally the case, and a way had to be found over the mountain itself. At a subsequent period good roads have been engineered through some of these gorges, while others have been pierced by railways ; but at the time of which we write there were no roads. The ox-waggon could penetrate some of them by dint of almost superhuman efforts and care, the passage down the declivities being eased by means of ropes attached to the wheels.

As we look to the north and north-east from Cape Town our horizon is bounded by the southern wall of the first terrace, a range of mountains of exceedingly bold and impressive aspect, snow-capped for four months in the year. This is traversed by New Kloof, where a river pierces the rocky barrier somewhat in the manner above described ; and, passing through this, we find ourselves surrounded by an amphitheatre of mountains more elevated still, attaining an

altitude of 7,000 feet, and far more difficult to penetrate or traverse. The obstacle is overcome by an artificial passage through Mitchell's Pass, or by the Hex River route, which is now taken by the railway. This barrier being passed, we immediately perceive that we are in a different world, and the vegetation is entirely distinct from that of the southern coast-belt. We are at an elevation of from 2,500 to 3,000 feet; the scanty scrub serves not to cover, but to diversify, the surface, which shows itself red and absolutely naked, except where it is freely cropped with stones. This is the great Karoo (or dry place, a Hottentot word). This character remains constant until the next great barrier, the Nieuwfeld mountains, is reached, on the back of which lies the most extensive plateau of the Cape Colony.

At the foot of these mountains, indeed, entangled partly among their spurs, lies Nelspoort, the farm which had been purchased by Mr. Molteno. It is situated on the Salt River, a torrent which runs for a short period during thunder-showers, and loses itself in a marshy level, the Salt River Vlei, fifteen or twenty miles away. The hills present curiously contradictory features: some are absolutely perfect cones, while their next-door neighbours, separated by a narrow saddle, will be absolutely flat-topped.

The whole country is covered with low-lying scrub, comprised chiefly of *Mesembryanthemums* and species of *Compositæ*, which are of an uniform dull brown until the thunder shower gives its infrequent moisture, when they suddenly bloom with the most gorgeous colours, and all nature lives again so rapidly that it would appear to be touched with a wizard's wand. There are no large trees, but along the river banks, where the deeper soil and occasional flooding satisfy its conditions, the mimosa flourishes, armed and protected by very formidable thorns from six inches to a foot long. Originally it formed impenetrable thickets; and some of these remain, harbouring the noble Koodoo.

This country swarmed with game both large and small, and this notwithstanding its apparently scanty vegetation, the secret cause being that this vegetation, scanty though it is, is all edible and highly nutritive. Here were found every kind of antelope, from the huge eland to the small klip-springer, an antelope which frequents the rocky heights, and whose hoofs present a curious adaptation to this condition. To this day large herds of graceful springbucks may be seen grazing on the plains in open day; the wild ostrich is still to be found in considerable numbers frequenting the district.

This part of South Africa harboured a greater variety and a greater number of the largest animals in the world than any other continent. The abundance of food thus available led to a corresponding variety of carnivorous animals and birds of prey, the former being led by the king of beasts—the lion himself, while next to him came the fierce leopard locally called a tiger, owing to its cunning, its vindictiveness and strength; below these came numerous leopards in a descending scale of size, with wild dogs, wild cats of every kind, wolves, hyenas, and jackals. The lion was just emigrating from this district when Mr. Molteno arrived. His shepherds appeared before him in a scared condition, and reported having seen one in the long reeds of the Salt River Vlei soon after he had settled in this part. It may be easily imagined what formidable difficulties the presence of these wild animals presented to the stock farmer.

The atmosphere is remarkable for its freedom from cloud and mist. It would be difficult to find a single day in the whole year when the sun does not show himself at some time or other. The rain is scanty, between eight and ten inches per annum being looked upon as a sufficient supply; it falls entirely during the summer months, chiefly in connection with thunderstorms, which occur frequently in the hot season, and are stupendous and awe-inspiring pheno-



mena throughout the tablelands of South Africa. The day on which they occur invariably breaks clear and cloudless, and so remains until between ten and eleven suddenly a snow-white speck becomes visible, literally the size of a man's hand. As we look at it we see it swelling and growing; other small bodies appear; they become united, and now we see the mass has begun to move slowly, generally against the gentle breeze which accompanies the phenomenon. The sun is soon obscured by an inky mass of darkness; and, if we are to have a good downfall, the cannonade of thunder has begun by one o'clock. The wind now rises, and blows fiercely from all quarters in succession, the rain falls in torrents, flash and peal follow in rapid succession, the electric fluid passing to earth in the well-known zig-zag, and again rending the black sky, and exposing as it were the molten white-hot interior along a crack which takes the form of a chain, and hence is known as 'chain lightning.'

At another time the shower is not for you, the gigantic mountains of cauliflower-shaped clouds clear cut against the blue sky move slowly past you on the right or left, and a dense, black, rugged shadow passes from them to earth faintly illumined by the constant flashes of lightning. As night comes on, the flashes pass through the gigantic mass, causing it to glow right up from the earth to its highest series of white domes touching the sky. At other times no rain falls, but huge hailstones six inches in circumference, destroying game and sheep and ostriches. Recently, no less than seventy out of a herd of 100 ostriches were killed by one of these storms. No summer passes in South Africa without its quota of men killed by lightning; and at times a whole span of sixteen or eighteen oxen may be seen lying dead, the fluid having apparently passed along the chain to which the yokes are attached, and so killing each couple in succession. During the wars in South Africa, on several occasions waggons conveying powder were struck in this

manner, with disastrous results to those accompanying them.

The summer temperature is high, but the air being highly charged with ozone, is not enervating. During the hottest part of the year, in summer, man as well as nature rests from eleven to four. All nature is silent, time is marked only by the rapid beats of the cicada; though the air is perfectly still, yet on taking a bird's-eye view from some point of vantage hundreds of little whirlwinds of red dust will be seen leaping up towards the sky like uneasy spirits driven up from the baking earth by the heat. The air is exceedingly dry, and quite free from germs of decaying vegetable matter. The winter is pleasant, being extremely bright; the nights are cold, and the water takes a coating of half an inch of ice, which is rapidly melted by the warm sun of the day. Snow falls occasionally, but disappears almost as rapidly as it falls.

When the healing properties of the warm, dry, highly ozonised air are better known, this district would seem to have advantages as the sanatorium of the world for those who suffer from lung complaints, and also for those suffering from nervous exhaustion brought on by excessive work in impure air. Each session of Parliament Mr. Molteno returned with renewed energy and vigour from the bracing air to the hot and exhausted atmosphere of the small hall which housed the Legislature. It is a land where the Englishman retains his energy and physique; here Europeans tend to increase in size and weight. There is a peculiar fascination to those who can enter into the spirit of the scenery: the clear and silent mountains, the vast expanse of plains, the pure sky, the solemn silence, and the solitude.

The physical features of the country have been described at some length, as Mr. Molteno spent the best part of twenty years in these districts. The area of the district in which he settled was about twice that of Ireland, with a population of some 15,000 all told. Owing to the large

areas of land attached to each farm, your nearest neighbour might be five or ten miles away, and the South African Boer's true ideal in this respect was realised; he was lord of all he surveyed, and his eyes were not offended by seeing even the blue column of his neighbour's smoke.

Difficult of access as it was then, and as it remained while Mr. Molteno resided there, and isolated as was his life, being shut off from the society of his fellow-men to a very large extent, there was nevertheless but little danger of rusting—nature offered too many combats to an active character. The wild animals carried on an unceasing war at every point against the flocks and herds, and the depredations of a twelvemonth totalled up to alarming figures.

The larger game began to move away before man, and the defenceless sheep took its place, and was called upon to supply food to the vast number of carnivora which were in occupation of the country. The lambs were carried off in numbers by the jackals, the wolves and hyenas made away with the grown sheep, the tiger would descend from his rocky fastness, and in one night would indulge his love of slaughter and his thirst for blood by destroying twenty or thirty of your most valuable sheep, merely drinking their blood at the throat, and leaving them otherwise untorn. At another time, desiring a change of diet, your promising foal was carried off, and your calves were dealt with in a similar manner.

In the old days of muzzle-loaders accidents frequently took place at tiger-hunts. The farmer carried his own gun, accompanied by his native servants with spare fire-arms; when the tiger appeared, the native servants were wont to disappear, the white man being left to contend as best he could with the tiger, relying on a single shot; and a hand-to-hand encounter often then ensued, as the first discharge would probably only wound the tiger, and not disable him. Many a limb and many a life were lost in this way.

The country was in a state of nature. There was no homestead, there were no roads, no land prepared, no weirs across the river for irrigation purposes. In this and many other ways nature had to be combated, and for this life Mr. Molteno left the mercantile desk and the rush of business. His disposition worked best in facing and overcoming obstacles. For five years he devoted himself to such work until he had reduced order out of chaos.

On his first arrival his neighbours laughed at the young Englishman who knew nothing of their occupation of sheep farming, and prophesied a speedy failure. His knowledge of the sheep was on a par, as they said, with the sheep's knowledge of him; but with his accustomed energy and determination of character he attacked the problem before him. He feared no hardship and no toil. He camped out in a tent for long periods together. His overseer who had managed the land remained in charge of the animals. At the end of five years he had so arranged the affairs of his farms that he was able to leave the details of the work in the hands of his overseers, giving early evidence of his capacity for administration. Throughout life he arranged that he should do no work which someone else could do as well, thus leaving himself leisure for the problems of general management.

A severe blow visited him within a year of his taking up his residence at Nelspoort; his wife and her young child died on the 15th of July, 1845. Mr. Molteno felt this very severely. Thus far, as we have seen, his mercantile operations had not been crowned with success, and now he lost his wife. He wrote to his mother as if he had lived his life already and no happiness were left:—

I, too, have had struggles and difficulties to contend with of which perhaps you have very little idea. I, however, always try to feel thankful for the many blessings which it has pleased God to leave me in the enjoyment of, the chief of which is good health, and when I come to look around me at the thousands, or I may

say at the millions, of my fellow-creatures so much worse off in every respect than myself, my heart overflows with gratitude towards that God who has favoured one so utterly undeserving. That it is good to be afflicted we know, and as to anything like happiness in this world, young, comparatively speaking, as I am, I have long since given up all hope of it. The Christian's life is but a struggle, a warfare, and this is not his home.

He was not the man, however, to allow the dead past to hinder the work of the present; he threw himself more energetically than ever into the development of the land which he had acquired, and into his various projects—the construction of irrigation works, building of sheepfolds, the erection of dwelling houses, the excavation of water furrows and dams, and the development of agriculture. No one who has not seen a country of this character has any conception of the utter want of appliances; no labour had ever been expended on it, all had to be done from the very beginning. There were no roads, no bridges, the whole of the country was as nature left it. All materials had to be carried from the coast by the ox-waggon over virgin country and great mountain ranges.

Mr. Molteno was an extremely early riser, and all about him had to accommodate themselves to this habit. He worked with such energy that he met with complaints from his servants that they were being worn out by his ceaseless activity. His was a nature which delighted in trials of strength of all kinds; he battled with nature and grew stronger from the contest. He delighted in training and subduing the wildest and most fiery horses. They recognised his power, and to him alone they bowed, suffering none other to sit them.

Among the miscellaneous native population who afforded a supply of labour to the farmers there were many who had drifted into devious ways—lifting stock and practising other evil habits. Mr. Molteno recognised that in many cases this

was really owing to the perversion of a character more active than the common. Frequently he would take these men into his service, treating them in such a manner, and obtaining such an ascendancy over them, that he generally succeeded in reclaiming and making them self-respecting and worthy members of society. At first, however, the neighbours regarded with serious concern his harbouring these men about him, feeling as they did that they themselves could never have succeeded in such a work, while evil consequences might result from their presence.

Then as always he hated waste of every kind ; whether of human material in unsuited positions, or of his own, his friends', or the public money. He was in no sense ungenerous or niggardly, but regarded waste of any kind as sinful. A friend tells an amusing story illustrative of his care of the least trifles. Staying at his house while he was absent at the Kaffir war, his wardrobe was being turned over. Among the various articles was a very ancient coat, and it was suggested in the hearing of his manager, Mr. Ross, that it should be disposed of by presenting it to one of the native servants. The manager, with evident concern, immediately said in the most determined tone, 'You shall do no such thing. Mr. Molteno will certainly ask for it on his return.' A commanding presence and powerful character, as well as his energetic habits and forcible expression of his will, impressed his influence powerfully on the neighbours, while it had the usual effect on the natives, who are good judges of character, and who yielded to him a ready obedience.

In a large measure he was thrown on his own resources. Great distances separated him on all sides from his neighbours, while many of them were hardly fitted, from training or intellectual abilities, to afford him congenial society. He feared no hardship. He frequently journeyed to Cape Town alone on horseback, a distance of 360 miles.

## CHAPTER III

## THE KAFFIR WAR. LIFE AT BEAUFORT. 1846-54

War Breaks Out—Volunteers as a Burgher—March to Frontier—Appointed Commandant—Disaster at Burns-hill—Retreat from Beka—Incompetency of Military—Demoralisation of Troops—Burgher Forces called out—Joins Sir A. Stockenstrom—Relief of Block Drift—Attack on Kaffirs—Operations against Kreli—Operations in the Amatolas—Bad treatment of Burghers—Du Toit's Narrative—Burghers lose all their Horses—Description of Hardships—Burgher mode of Fighting—Return to Nelspoort—Visits England—Second Marriage—Resides at Beaufort—Leasing of Crown Lands—Member of Municipal and Divisional Councils—Mercantile Pursuits—Establishes a Bank—Represents Beaufort in first Parliament.

MR. MOLTENO was making rapid strides towards the accomplishment of the object which he had set before himself of gaining a practical knowledge of sheep farming when the Kaffir war of 1846 suddenly burst upon the country. His flocks and horses had largely increased since 1843, and were in need of skilled management; when therefore Mr. Alexander Ross, his overseer, was commandeered to go to the front, Mr. Molteno rightly judged it better for the former to remain where he was, while he himself volunteered to take his place among the Beaufort burghers, called out on commando, and he accepted the position of a burgher. He was at an age when the charm of novelty and adventure would attract him to this service, while it would still further tend to make him forget his recent loss.

The force rapidly assembled, under the command of their commandant Mr. Andreas Du Toit, a farmer, but a highly intelligent one, under whose charge many of the neighbours were glad to place their sons. Some of these men were dressed in complete suits of leather clothes ('crackers,' as

they were called), very suitable for a campaign of the character upon which they were about to enter. The long march to the frontier began. Mr. Molteno supplied himself with four horses, and took two retainers with him, arming himself and them as well at his own expense. The march lay right across the country. A great rug was the principal outfit. No tents could be carried and no shelter found at nights. The force endured the greatest hardships, to which we will refer later.

In this long march of 400 miles Mr. Molteno became the right-hand man of the commandant; his advice was sought and his assistance relied on. He was elected an assistant-commandant by his fellow-burghers, and as soon as they arrived on the frontier he was introduced to the commandant-general, Sir Andries Stockenstrom, who immediately recognised his capabilities, and appointed him a full commandant. A letter to his mother gives some account of these transactions :—

I think I wrote you last the beginning of March—after waiting Arthur's arrival for two months I was obliged to leave for the country. He arrived the early part of April, and I was just about making preparations to get him up to me when the Kaffir war broke out, and I, together with all the men that could be spared from the district, moved off to the frontier with all possible haste. The place I now date from is on the frontier of Kaffirland, and distant near 400 miles from the district of Beaufort. We are about 300 men from our district, and are encamped on the top of a hill waiting the arrival of those from the more distant parts of the Colony, when the whole of the troops and burghers (as the inhabitants are called) will move upon the Kaffirs in their own country; the whole army will be near 15,000 men, 3,000 of which will be left to protect the border while the rest advance. I have no doubt ere you receive this you will have heard from Arthur and other sources of the invasion of the Colony by the Kaffirs; burning and destroying the houses and property of every description and carrying off the cattle and sheep. I can give you but a faint idea of the dreadful destruction; fortunately the lives lost have been fewer than might have been expected, but the people managed to get together in sufficient numbers to protect themselves and



families, but still many have fallen. I am happy to say the district I reside in is far removed, and there is now very little chance of the Kaffirs being able to penetrate further into the Colony. I have a letter from Arthur of 6th May; he says he was on the list of those to be balloted for in Cape Town, and will perhaps have to come up to the seat of war. I trust he will escape. Since the forces have come up the Kaffirs have retired back into their own country with their plunder. I have been in several engagements with them, but none of us were hurt, though the bullets whizzed about us; but the Kaffirs are not sufficiently acquainted with guns, and generally fire too high or they would do much more damage. The 5th of this month (my birthday) was spent by me in a very different manner to what it has ever been before. On that day a party of us, 100 mounted men, made a dash into Kaffirland and surprised a large body of Kaffirs, killing thirteen of them and capturing 5,200 sheep and nine horses, which we brought off safely, the only casualty on our side one horse wounded. A few days after this the division under Colonel Somerset engaged the enemy and completely routed them, near 500 were killed. It is generally supposed that the war will now soon be over, as it is quite impossible the Kaffirs can stand against the large force now being brought against them; it is to be hoped that this will be the case, so that the farmers and people called together from the whole Colony may be able to return to their homes. Since I left I have not received letters of any kind. Arthur did not send those he brought with him. I hope that Arthur will send you some Cape papers, which will give you a better idea of what the Colony has suffered; all around the farms are still smoking and many of the people are completely ruined; those that have saved any of their stock are now losing them from want of pasture, as where such numbers are collected together in one spot the grass is soon destroyed, and they must keep together until the war is over for mutual protection. Besides myself I have been obliged to bring two of my men and four horses besides arms. It comes very hard on most people to be obliged to leave their families and affairs. I hope, please God, there may soon be a speedy termination to the war. It is not probable that I shall be able to write you, my dear mother, before all is over. If it please God that I return in safety I will write you immediately, and in the meantime I hope you will not make yourself uneasy about me. I think the danger, now we shall be so strong, is much diminished, but all is in the hands of the Almighty.

When the burghers from Beaufort arrived on the frontier the seventh of the great Kaffir wars had broken out, and

its commencement was signalled by a great disaster, the result of incompetence and want of knowledge of the Kaffir mode of warfare. Colonel Hare had determined to attack Sandilli at Burns-hill. From Post Victoria to this spot was only a good day's ride on horseback—a native could march the whole way without resting on the way. No necessity would therefore appear for encumbering the column with a great quantity of baggage or provisions, yet no fewer than 125 waggons, conveying baggage of all kinds, provisions, and ammunition, accompanied the troops. These waggons, each drawn by fourteen oxen, formed a line at least three miles in length.

Had Colonel Hare possessed the necessary knowledge and skill he would have known that such a mode of proceeding against the Kaffirs was useless, a sudden dash could alone have succeeded. The force was composed of three divisions, which were to march from different parts and unite at Burns-hill, where Colonel Somerset, of the Cape Mounted Rifles, was to assume the chief command. On the 11th of April, 1846, this officer marched from Post Victoria with his own regiment and four companies of the 91st. Lieut.-Colonel Richardson marched from Fort Peddie with the 7th Dragoon Guards, and Captain Sutton from Eland's Post with the Hottentot levies.

The columns united at Burns-hill. On the 16th Colonel Somerset moved against Sandilli, and on the 17th, believing that the whole of the hostile Kaffirs were on his front, sent an order to break up the camp at Burns-hill and for the forces there to join him. The waggons began to move off, but the train was so long that only an advance and rear guard could be provided. The men employed for this purpose were chiefly dragoons, who were almost useless in such a country. In passing through a narrow gorge one of the waggons stuck fast, and all the waggons behind were brought to a stand. The Gaikas rushed down from the heights,

cut the oxen loose, between 800 and 900 oxen, and sixty-one waggons laden with baggage and stores, falling into the hands of the enemy. These were minor disasters in the series which eventually led up to that terrible mistake of Isandhlwana.

Major Gibsone then retreated to Burns-hill with the ammunition, and was subsequently met by a detachment of the 91st, under Colonel Campbell, who had been sent to meet the train but was too late. Colonel Somerset now decided to retreat, the column being followed by the exultant natives, but on the following day succeeded in reaching Block Drift on the Tyumie without further disaster. A large stone building belonging to the Lovedale Mission was taken possession of and was converted into a temporary barrack and fort.

An action still more disastrous in its results took place near Fort Peddie. The strongest garrison on the frontier was established here, and Lieut.-Colonel Lindsay, of the 1st battalion of the 91st, was in command. Great herds of cattle were driven from the Colony and passed almost in sight of Fort Peddie towards Kreli's country without any effort on his part to save them. But worse was to follow. On the 30th April about a thousand Kaffir warriors attacked the Fingoes at the Beka station, about four miles from Fort Peddie. Word was brought to Colonel Lindsay, and he sent out Lieut.-Colonel Richardson with a squadron of dragoons, some Cape Mounted Rifles, fifty men of the 91st, and two guns.

Upon arriving at the mission station it was observed that the Fingoes were still holding their own. Yet, after firing a few shots from his field pieces without effect, the commander retired. The mission station was set fire under his eyes, and with 200 British soldiers he abandoned the field, leaving the Fingoes to their fate. The poor Fingoes succeeded in beating the enemy back, 'but the bad effect of the military movement of that day was greater even than that of the loss of the waggons at Burns-hill. It inspired the Kaffirs with confidence in their strength and diminished their fear of the soldiers.'

The Gaikas and their allies now rushed into the Colony, and commenced to drive off the cattle and burn the buildings and cornstacks. As Sir Peregrine Maitland wrote: 'The military posts were of no more use to prevent an invasion of the Colony than the piers of a bridge to prevent the rush of a swollen torrent through its arches.' The state of demoralisation into which the military were thrown was abject; the *moral* of civilised forces seems to be utterly destroyed by a retreat in face of a barbarous enemy.

By this series of unparalleled misadventures on the part of the military, the whole of Lower Albany and the districts bordering upon it had become exposed to a foe utterly contemptible in the field or when met by men of courage, but ruinous as fire or any destructive element when left to its own course. The Kaffirs drove off the cattle from the pastures close to the military posts and taunted the soldiers with challenges to come out.<sup>1</sup>

Inspired by their unlooked-for success the whole of Kaffirland rose against the Colony, which now looked to the colonists to protect their country, and to the courage which men fighting for life, family, and country might be expected to bring with them to the scene of action. On the 22nd of April, Sir Peregrine Maitland, who had assumed command in chief, proclaimed the whole Colony under martial law and called out the entire burgher force. The demand became imperative on the part of the public that a man of capacity, of courage, and of large experience, and who enjoyed the confidence of the people and deserved it, should be at the head of the whole burgher force of the Colony; and it was equally imperative that he should not be checked, interfered with, nor compelled to co-operate, without his consent, 'with any of the mob of field officers now on the frontier.' The choice for this position fell by unanimous consent upon Sir Andries Stockenstrom. The whole of the dangers and

<sup>1</sup> Theal, *History of South Africa*, vol. 1884-54, p. 264.

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country, for every mission station and trading post had been destroyed. The Beaufort Burghers had made good speed in crossing the 400 miles which separated their homes from the frontier. 'The men,' says Sir Andries Stockenström, 'of the Eastern frontier and Graaff Reinet were soon joined by those of Beaufort West under Messrs. Du Toit and Molteno, and formed together as fine and brave a body of soldiers as this or any other country has ever seen.'<sup>1</sup> Further on he describes the commandants as 'men as honourable, as well informed as to the political state of Kaffirland and the Colony, and the predicament in which the Governor was placed, as any five men he would have picked out of his whole army—all having deep interests at stake. . . . These five men were Commandants Joubert, Du Toit, Groepe, Pringle, and Molteno.'<sup>2</sup> Being encamped at Fort Beaufort, they made a reconnaissance to Block Drift, Mr. Molteno accompanying them. There they found the troops in a state of great demoralisation. 'The bravest and noblest troops in the world were, through their mismanagement, to use the softest term, driven before naked savages like rats before a pack of terriers from Burns-hill to Block Drift, leaving their ammunition waggons in the hands of the enemy, to be recovered by a few poor Hottentots under Andries Botha.'<sup>3</sup>

The 91st, under Colonel Campbell, were in a state of siege. As we have already seen, the natives taunted the soldiers to come out. Their water had been cut off, and when the burghers, ninety-eight in number, arrived, they found these troops in momentary expectation of being attacked by the Kaffirs, a gun being placed at each of the entrances to the enclosure. As soon as they had communicated with the commander, and learned the desperate state of affairs to which the regulars were reduced, they went out and off-saddled at the river, and turned the water into the camp again. The look-

<sup>1</sup> *Autobiography of Sir Andries Stockenström*, vol. ii. p. 218.

<sup>2</sup> *Idem*, vol. ii. p. 288.

<sup>3</sup> *Idem*, vol. ii. p. 216.

out on the fort now reported that he could see a force of Kaffirs driving cattle from the Colony before them towards Kaffirland.

The burghers immediately determined to attack them. The military would render them no aid, so dividing their small force into two or three parties, they moved out and dashed upon the Kaffirs, who, taken by surprise, fled, leaving the cattle in the hands of the burghers. The latter were now some ten miles away from the fort, evening was drawing in, and their position would be somewhat critical if the Kaffirs, recognising their small numbers, were to close upon them. Still they determined not to lose the cattle, but to make the attempt to drive them to Block Drift, a task of no ordinary difficulty for so slight a force at such an hour. A small rear-guard was left to protect them from the attack of the Kaffirs who, perceiving their scanty numbers, had now returned.

Colonel Campbell at last sent out a force of about 100 men to assist them through the drift of the river; and on their return to the fort they were received with ringing cheers; as well they might be, for they succeeded in bringing back 5,000 head of cattle and sheep. Their return was welcomed not only because of its brilliant success, but for the substantial relief it brought to the famished soldiers, who were all on short allowance, the fort having been blockaded for a month previous to their arrival.

It was now decided to bring forward the remainder of the burghers who had been left behind at Fort Beaufort, and a question arose as to how the message should be sent. It was exactly the kind of work which suited Mr. Molteno's character and temperament; he at once volunteered to take a despatch from Colonel Campbell, and his horse being fatigued with the operations of the day, Colonel Campbell gave him his own, which was an excellent one, together with an escort of two troopers of the Cape Mounted Rifles. As soon as it was dark they started and accomplished the ride successfully,

and the remainder of the burghers was brought up. At the time of this relief of Block Drift the garrison was composed of between 300 and 400 men under Colonel Campbell's command.

Mr. Molteno, in his capacity as commandant, accompanied Sir Andries Stockenstrom throughout the operations which he carried on against the Kaffirs. After a period of considerable inaction, and after various 'demonstrations' at which the Kaffirs laughed, and at which the burghers became discontented and dispirited, while their horses were daily becoming thinner owing to the drought and want of pasturage, a combined movement was at length decided upon.

On the 29th of July Sir Andries Stockenstrom led a division of the burghers of Somerset, Cradock, Graaff Reinet, Colesberg, and Beaufort, with a contingent of Hottentots, from the Kat River into the Amatola fastnesses and jungles, which, it was considered by the military authorities, madness to think of entering with less than 10,000 men. This force was to co-operate with a contingent under Colonel Hare, consisting of regular troops with some Fingo and Hottentot levies. Sir Andries had never believed in the dangers of this great fastness if attacked in a proper and determined manner. It had been hoped that after their Burns-hill victory over the military the Kaffirs would have made a stand in their stronghold, but a simultaneous rush of 1,000 burghers and a five minutes' fight, which left thirty Kaffirs dead on the fringe of the forest, convinced the latter that the fastness to which they had looked for safety so long was useless, and after another short stand on a rock-bound and forest-flanked height, they avoided the troops.

The burghers encamped for the night in the midst of this stronghold in order if possible to tempt them to attack, but without result. It subsequently appeared that the Kaffirs had no intention of exposing themselves to a loss of life when they



knew they must be beaten in action, and they moved away through an open space, which by the unaccountable neglect of Colonel Hare had been left between the extremities of his right wing and Colonel Somerset's left.

Mr. Molteno deplored the loss of life which took place in these operations on both sides. He used to tell how he found many a splendid-looking savage lying dead facing the foe, the small hole in his shield indicating the passage of the deadly bullet which had pierced him as he advanced boldly against the deadly weapons of the white man.

Sir Andries Stockenström, supported by the advice of all his commandants, now urged that though the Kaffirs had escaped no retreat should take place, but that, on the contrary, the true policy was to advance and to dictate terms of peace to Kreli, the paramount chief, who, though not openly involved, had evidently favoured the attack by his allies upon the white people. As usual, a great deal was said on the part of the military of the 'disorganised' character of the burgher force; the danger of a forward movement made in reliance on them was urged on the Governor by the military advisers and it was represented as most impolitic and, in fact, impossible.

In the subsequent Galeka war a great deal was again said by the then military advisers of the Governor as to the alleged 'disorganised' character of the burgher and colonial forces, but with as little truth. Finally, Sir A. Stockenström offered to do the work alone.

'Consultations,' he says in his 'Autobiography,' 'were then held, when besides his Excellency and myself, there soon met Commandants Linde, of Swellendam; Du Toit and Jordaan, of Worcester; Ekstein, of the Cape District; and Du Toit and Molteno, of Beaufort. The commandants declared themselves quite willing to go forward provided they could be certain of being dismissed immediately on their return.'<sup>1</sup>

The Governor, after hesitating and objecting to Sir Andries

<sup>1</sup> *Autobiography of Sir A. Stockenström*, vol. ii. p. 230.

moving forward without some reinforcement, eventually consented.

The object was to strike terror into Kreli, the paramount chief of Kaffraria, by showing him that neither the burning of the grass, the destruction of horses, the fatigues of distance, nor the fear of numbers of the enemy, can stop the progress of a British force, and that he should have the law dictated to himself at his very door. This was undoubtedly the correct policy in dealing with barbarous tribes. Never hesitate to attack them, never retire before them—you will be justified in accepting more than ordinary risks if such a policy is carried out by a capable commander. We may compare Lord Roberts' account of his unceasing attacks upon the Afghans and upon the Mutineers in India, never permitting them to feel the least doubt that we were ready to attack them whenever and wherever we could get at them.

The expedition was in two divisions, one under Sir Andries Stockenström and the other under Lieut.-Colonel Johnstone, and consisted of about 2,500 men, chiefly burghers, of whom Colonel Johnstone's column also was largely composed, together with a detachment of the 27th regiment. Sir Andries would have preferred to do the work himself, looking to the delays which might be anticipated with the association of the Imperial troops, but he yielded to the desire of the Governor that he should be so reinforced. The horses were daily growing into mere skeletons, and he says: 'I was well aware that this arrangement would be the cause of considerable additional delay, which in our predicament was absolute ruin,'<sup>1</sup> owing to the wasting condition of the horses.

Kreli very soon discovered the object of these operations and sent a messenger to treat for peace, asking why he was to be attacked, as he was at peace with the white people.

<sup>1</sup> *Autobiography of Sir A. Stockenström*, vol. ii. p. 235.

The messenger was sent back to say that Sir Andries Stockenstrom would speak to Kreli and hear his statements at his great kraal. A large number of the horses broke down for want of food and were shot, but still the operations were successfully continued, and upon the approach of the column Kreli abandoned his kraal and hid himself upon a mountain, but left some of his councillors, who met the head of the force with a white flag.

After a long attempt to establish Kreli's innocence and after much pretended ignorance of his whereabouts and description of his fears, one of the natives, a wily old diplomat who was nearly eighty years of age, asked in an undertone, 'Would you come alone to see Kreli?' The Commandant-General immediately said, 'Yes, lead me to Kreli,' and with his interpreter, the late Mr. Charles Brownlee, who like himself was unarmed, Sir Andries went to a neck of the ridge which intervened between the halting commando and Kreli's black braves.

The meeting place was at a ridge about a mile and a half from where the commando was halted, from which spot Kreli and his councillors were plainly visible. It was a moment of intense anxiety for the forces. Kreli had reason for his fears—his father, Hintza, had, in accordance with Kaffir assertion, been invited to a conference, made a prisoner, and then shot for trying to escape; while it was well known that Sir Andries' father had been murdered by the Kaffirs while holding what should have been a peaceful conference with them.

After a short time a message was sent requesting the attendance of the commandants and certain members of the staff, together with the military officers, Colonel Johnstone and Captain Vereker, but Kreli insisted that they should come unarmed. Less than ten years had elapsed since the terrible massacre of Retief and his companions at a similar meeting by Dingaan, and the present circumstances recalled

the facts to the minds of all. Nevertheless they immediately joined Sir A. Stockenstrom. The commandants were Messrs. Gideon Joubert, of Colesberg ; Andries Du Toit, of Worcester ; W. Dodds Pringle, of Somerset East ; Christian Groepe, of the Kat River, and Mr. Molteno ; while Sir Andries' two aides-de-camp, Messrs. Richard Paver and Henry Hutton, and one other European, Joseph Read, were also present.

The deaths of the fathers of the two principal actors in this scene, by what was alleged to be foul play on both sides, together with the belief in Kaffir treachery generally, induced the officers in command of the halted troops to stand, glass in hand, with 200 mounted burghers ready at a moment's notice to gallop to the rescue should any of Krelis' forces cross the neck or should any suspicious movements be observed at the conference.

On joining Sir Andries there was to be observed the chief Krelis, then a young man, tall, well-formed, and with semi-European features, seated on the ground only covered with karosses, evidently having as his state attorney a simple-looking Fingo, who sat at his feet and not in the half circle of which Krelis occupied the centre—for caste did not allow the gifted and eloquent Fingo the privilege of sitting with the Galeka councillors. A discussion was carried on through the interpreter and this Fingo, who would, when he saw occasion, hold up his finger, and with great emphasis address the interpreter on behalf of the chief, who did not take part in the debate. The result of this conference is a matter of history.<sup>1</sup> Before departing, Sir Andries delivered an emphatic warning to the young chief, recounting the successive steps by which he had been driven back, and telling him that he might be driven over the Bashee if he were not careful to restrain his people.<sup>2</sup>

<sup>1</sup> See Theal's *History of South Africa*, vol. 1834-54, p. 280.

<sup>2</sup> This actually took place under Mr. Molteno's Government in the Galeka war of 1878.

An eye-witness recounts his words as follows :—‘ Krelī ! Remember that when I was a beardless boy I met your Kaffirs, gun in hand, on the Sundays River ; when my beard was grown I met you in the same way on the Fish River, and afterwards on the Keiskama ; to-day I meet you on the Kei. I am now an old man, but take care, Krelī, that before I die I do not meet you on the Bashee,’ and the narrator goes on to add, ‘ During this address, delivered, although we were completely in Krelī’s power, in tones which made the chief visibly tremble, the perspiration stood on his brow ; and at its close he was evidently glad to escape from the stern glance of one to whom fear was unknown.’<sup>1</sup>

The story of the march to the frontier and the suffering endured by the burghers, together with an account of the operations against the Kaffirs, was subsequently told in print by Commandant Du Toit.<sup>2</sup> Inasmuch as it describes the operations in which Mr. Molteno took part we may fitly epitomise it here. And it is worthy of careful study by those who desire to get at the root of our difficulties in South Africa and to understand the alienation from our rule of loyal and true men ; eloquent as it is of misrule, and of unsympathetic officialism, making no attempt to identify itself with the interests, the wishes, and the welfare of the community subject to its government.

Mr. Molteno himself never complained, but he was a witness of the unwise treatment which enormously increased the sufferings of himself and his companions in arms. His experiences sank deep into his mind, and he determined that so far as he could mend it he would do so. He devoted his life to bringing about a better state of things for his adopted country. We can understand, after perusing this story, his determination never to consent to the possibility of the recurrence of the treat-

<sup>1</sup> A contribution by Richard Paver to the *Friend of the Free State*, February, 1893.

<sup>2</sup> In a communication to the *South African Commercial Advertiser*, of 28th of November, 1846.

ment which he and those with him received. He would never consent to the colonial force being placed under the military, of whose incompetence and whose insolence to the men who were defending their country and their homes, and who were doing the work of those who had proved themselves unable to do it, he had been an indignant witness.

Commandant Du Toit was no scribe and no observer of the rules of literary composition. It could not be expected of him, a 'Shepherd of the Gouph,'<sup>1</sup> as he signs himself. English was not his native language, and yet he was a good man and fought nobly and conducted himself so as to honour his name and his country. To understand the springs of Mr. Molteno's actions and conduct at a later period we must give some account of these operations drawn from Mr. Du Toit's narrative. Seldom have the feelings of the men of the type represented by Du Toit been expressed in the press; suffering has been borne in silence, but the bitterness has eaten deeply into the hearts of these brave men and has borne bitter fruit for South Africa and for England.

The force under Du Toit started from Beaufort on the 30th of April on its long march for the frontier in response to the call of the Governor for aid against the Kaffirs. On the 8th of May they reached the Zondags river and requested the use of several necessaries for the supply of the force from the Civil Commissioner of Graaff Reinet. In return they received only a supply of flannel for powder bags, with a message that the Civil Commissioner had nothing to do with the Beaufort commando. 'Well,' said I, 'are we not all in her Majesty's service, serving the same Queen?' Again, on the 12th, Mr. Molteno and Mr. Devenish were directed to proceed to Somerset, in order to procure shoes for the foot-sore horses. They were, however, 'turned into the streets by the respective Government servants, with each a piece of raw beef and bread, without anything to roast on, without salt or a place

<sup>1</sup> An arid district of the Karoo lying to the south-east of Beaufort.

to dwell, and the horses were, after a great deal of trouble, only half of the number shod.' It will be remembered that the force on the long march had no tents or covering of any kind, and were obliged to sleep out at night, yet this is the manner in which the Government officials treated them.

Upon reaching the frontier they were kindly received by Sir A. Stockenstrom, but being ordered to go on patrol to Fort Beaufort, and reporting themselves to the Lieutenant-Governor, Colonel Hare, says Du Toit, 'We were sent into the dragoon stables, a shelter for one-third of the horses, and none for the men. After a tremendous deal of trouble two tents were pitched in the yard for myself with sixty-nine men, each man got  $1\frac{1}{2}$  lb. bony, dry, poor and black raw beef, and  $\frac{1}{4}$  lb. biscuit dust, without a pot or camp kettle, or salt or wood, or a place where to prepare our food, after having been with the empty stomachs ever since last night, being nearly twenty-four hours—a gale of wind was blowing the dry horse-dung and dust filling our eyes—we could hardly breathe or see. This was our lodging, turned into this miserable yard as a set of dogs. . . .

'Our horses had half rations and could not be shod, because the dragoon and Cape corps' farriers could not shoe the horses for the burgher forces, and that his honour had no better and more food for men nor beast. This was the reply given to me on my question whether no better treatment could be given to a set of the most willing and respectable civilians who had left all and everything behind dear to them. Is it not the duty of the military to protect the inhabitants who pay all taxes to Government, and the military are paid by Government? It is not our duty to come here as guards for the military while all the troops are blocked up in the barracks.'

After a long day's work fighting the Kaffirs they returned to the fort and were again placed in the same miserable lodging:—'I arrived with my men at nine o'clock at Fort Beaufort and we were turned into the same lodging, got forage for our

horses and  $\frac{1}{2}$  lb. biscuit for the men, the contractor for the meat would not open his shop, being too late—we were without anything to eat since last night. It was dreadfully cold. I took shelter in the little saddle room, where Mr. Enslin from Graaff Reinet had crept in with twelve men. *Mr. Molteno took his lodging in a dung cart.* Mr. Devenish, with the other officers and some of the men on the stable loft, the rest under the mangers. The fleas had nearly killed all the men; next morning tried to have our horses shod—it was refused. I applied for tents, and it was said that the tents were for the troops, and not for the burghers. I insisted on having them as we were doing the duty as military under martial law. I then got six tents for 254 men; we got half ration of forage for our poor horses.'

It is pleasing to find some officers who treated them differently. At Block Drift he speaks of the kindness of Colonel Campbell and other officers. He then proceeds to describe the operations there to which we have alluded, and he further mentions Mr. Molteno as having gone out on various patrols and made various captures. It was night and day work. 'At twelve o'clock in the night I sent Molteno with fifty men to the high ridge above the forest.'

They were now bandied backwards and forwards owing to the vacillation of the military authorities. At last a move was to be made:—'Next morning Colonel Hare asked Sir Andries' aid, by an express, to demonstrate towards the Amatola; within forty hours Sir Andries brought 600 horsemen with him to Fort Beaufort. We were all turned into the Dragoon Guards and Cape corps' stables, with horses without forage and men without food. O! miserable treatment.' It turned out, however, that it was to be no forward movement at all; they were sent again to Fort Beaufort and had to return. He writes:—'What sort of management is this? Indeed, everything was managed in the same way from the beginning—badly



managed; the demonstration was such that the Kaffirs compared them to a mouse that coming out of its hole, looking round, being afraid, turned into its hole again. Woe unto him who falls into the treatment of the scandalous jealousy of the military—a very, very few military gentlemen excepted. We turned back, each company to its camp; some had to travel seventy-two miles back.' He then, with the other commandants, urged that they were tired of waiting and wasting their time, their horses were becoming more enfeebled every day, and they wished to go in and fight or go home.

Sir Andries Stockenstrom was determined to move, even if he had to do so alone. Colonel Hare said it was dangerous to make the move proposed.<sup>1</sup> Du Toit replied: 'Why, your honour, no force will and shall detain me from going in on my instructions. I do not fear the Kaffirs and Tambookies together, or any force, and shall march at day-break.' He describes how by apparent want of caution they endeavoured to induce the Kaffirs to attack them. He says:— 'Next day went to Chumie Hoek with 200 men to reconnoitre, and saw thousands of Kaffirs. I had no instructions to molest them, so we rode right in between them, as we thought they would surround us. We gave them a fair chance for us to have an opportunity to fight our way through. We all dismounted and waited for them, but not one stirred to come down from the rocks. They perceived this must be another sort of mouse.'

Their mode of operations, so successful in Kaffir warfare, is described in the following passage:— 'We went off at ten o'clock in the evening with 800 men, marched the whole night through, and arrived just when sun rose before the Chumie forests, covered with Kaffirs from all sides; tied the horses together, left 100 men with the after riders with them. We

<sup>1</sup> The same story was repeated in the war of 1878 in Galekaland. The moves proposed by the Colonial Government were always characterised by the military as 'dangerous,' yet they were always successful.

formed a line before the bush, Sir Andries on the right of our force, myself on the left. Sir Andries took off his hat and said, "Fall in, brave men." The men all cheered, called out, "Hurrah! hurrah! hurrah!" charged the bush at full speed, and rushed in. The Kaffirs soon perceived that this was another species of mice—not of those which come out of their holes, look about, and turn into them again. They fled on all sides; we then scoured the whole of this miserable steep stronghold, killed several Kaffirs, destroyed 250 head of cattle, brought out 300 head and 300 goats, then rested a few minutes.' At the same time Colonel Hare had moved out with his 3,000 men, but effected nothing. After dark Sir Andries and himself visited Colonel Hare's camp, when the following conversation took place:—'His honour said to me we should not attempt to enter the Amatola with less than 6,000 men, for the Kaffirs were very strong in these strongholds. While we were clearing the Chumie Hoek thousands came out on the range, on horseback, and looked on. I said, "Oh, what a pity it is, your honour, you did not fight them."'

The attack on the famous Amatolas is then described:—

We arrived about three o'clock on the range of the Amatola, where we tied all the horses together and laid down, waiting for dawning of day. It was a horrid sight to look down into the valley of the Amatola: very dark, the fires glittering by thousands through the thick forest as the stars in heaven. Knowing that Sandilli, Macomo, Botman, and all their forces were in these fastnesses, at daybreak Sir Andries said: 'Now, my dear friends, take courage; trust in the Lord, and do not hesitate. Rush into your enemy and fight bravely. Rather die than surrender.' Here I saw that there were two sorts of commanders. The one sort, to which Sir Andries belongs, says, 'Come on, my brave boys;' the other sort, as in the affair of Burns-hill, I suppose must have said, 'Go along, my brave boys,' else the Kaffirs must have been conquered at that spot, being quite an open field. And we then rushed in, as a large dam of water which suddenly broke and overflowed the earth as far as it reached. We pursued into all kloofs and forests, the Kaffirs shouting from all rocks. Some said,

'Fly! fly! There is Stocko! All the Kaffirs will now be done.' The dogs howled, our men cheered, the clefts and rocks resounded from the noise and reports of arms. The Kaffirs fled in numbers; we killed forty-three, took some goats, destroyed some cattle, found two waggons which the Kaffirs had taken at Burns-hill, but were obliged to leave them, being without oxen. We kept possession of this stronghold. We have lost to-day seven brave men on our side.

While these operations were proceeding, the military column came up to the edge of the Amatola and fired a few cannon shots into the wooded fastness, and moved on, keeping well in the open.

The Kaffirs very quickly perceived the difference between the two modes of warfare. They took 'a prisoner, who said that the Kaffirs were deceived by Sir A.'s commando, else their plan was to rush on the troops and stab them all in one heap.' I said to the prisoner, "You are mistaken. The troops are the bravest men on earth; they would have conquered you and killed all." "No," says he; "they ran from the Kaffirs at Burns-hill." "Well, that is the commander's fault. The men must obey the orders; if the bugles sound to lay down, they must do so."

Mr. Molteno now proceeded with Sir A. Stockenstrom and Mr. Du Toit to Fort Beresford, where they met Sir Peregrine Maitland. Upon coming up with this force, Commandant Du Toit, of Beaufort, said, "'Well, gentlemen, you were not at the appointed place;" and they both answered me, "that they had never seen such fighting." About ten o'clock in the morning the bugle is sounded, they commence and go with a strong force before the poorts, sound the bugle, fire two or three cannon shot into the kloofs, and then says the colonel in command, "It is too late now; we must come back to-morrow and attack the Kaffirs;" and would not allow any of the burghers to go in the bush and fight the Kaffirs or take their cattle, and kept

<sup>1</sup> It is interesting to recall the fact that this is exactly what the Zulus afterwards did at Isandhlwana.



74<sup>TH</sup> HIGHLANDERS STORMING THE AMATOLA HEIGHTS ON THE 16<sup>TH</sup> OF JUNE 1851.

*From a sketch by Captain W. R. King.*



all the force outside to protect the large guns. As they turned the Kaffirs shouted from the ridges, "We have gained the battle, for you run."

A conference now took place as to the course to be pursued. After a long consultation between Sir Andries Stockenstrom, Mr. Molteno, and the other commandants, who all agreed in the plan of proceeding straight to Kreli and dictating terms to him at his *great place*, the Governor agreed to the advance, insisting, however, though Sir Andries Stockenstrom was ready to do the work by himself, that Colonel Johnstone with a detachment of the 27th and some burghers of his division should accompany him.

A very strong feeling prevailed between the military and the burghers at this time, and Du Toit gives a conversation which shows this feeling:—"When this plan was settled, Mr. Charles Devenish and myself stood before the tents of the Governor and the military secretary, son of the Governor, a little distance off, speaking to Captain Verriker and some other young officers. One of the artillery then said to that officer: "So you are all going with Sir Andries; I hope the Kaffirs will give you all a damned good licking." This artillery officer said: "I wish you may get your head broken somewhere else." Mr. Devenish then answered: "I hope the burghers will show the military that they won't allow themselves to be licked by the Kaffirs, as the military were licked at Burns-hill." "Well," says I to Devenish, "what sort of a man may this be—a young fool? We are serving her gracious Majesty in the same service; we did not ask Government to come out here; they were not able to resist the Kaffirs. What a scandalous jealousy!"

He gives a shrewd argument of Kreli during the conversation to which we have already alluded:—"Colonel Johnstone said to Kreli: "Three prisoners were taken at the mouth of the Kei, and they said that all the colonial cattle were in your country." Kreli replied: "You have been

driving them fourteen days before you through the Kei, and took them all, and a whole number of mine ; *and you are a great man, Stocko is a great man, Kreli is a great man ; and how can three great men go to work on the words of three prisoners whom you do not know ?* ” ’

Du Toit then describes the subsequent operations in which the burghers took part against the Tambookies. During these operations frequent mention is made of the number of horses which were shot, owing to their wretched condition ; the grass of the country had been fired by the natives, and no food could be found for them.

The burghers were now almost entirely dismounted ; their saddles and their kits had to be abandoned—it was as much as they could do to carry their rifles. Du Toit himself, though one of the principal commandants, before the end of the campaign was reduced to walking ; and, in addition, he was obliged to return home on foot, starting on his journey of 400 miles in this manner, part of his men accompanying him. When eighty-four miles from Beaufort, he received the loan of a horse from a friendly farmer. The men could hardly carry themselves, so exhausted were they from want of food and the wear and tear of the campaign ; one after another, they gradually returned struggling back as best they could, ‘ footsore, half-starved, some with rags on their bodies.’ This was indeed treatment for men who had so bravely turned out, abandoning their business, which was in need of their utmost care and attention, and who had fought as bravely as man can fight for their country.

The conclusion of the story is pathetic in the extreme, and full of meaning to the man who studies it carefully. This kind of treatment would estrange the most loyal of men :—

I have lost a tremendous deal in my absence in my affairs : lost several horses on the commando ; lost my health, being five months hunting round after her Majesty’s enemies, the Kaffirs ;

had nothing but a blanket to cover me, and my saddle as a pillow, the bare ground as my bed; stood a chance of my life, never retreated from the enemies of her Majesty; fought as a brave and faithful subject, killed a great many of the enemy, sacrificed everything dear to me, and went out willingly. So it was with the whole commando. Here we are released with such thanks as a set of not-wanted dogs, carried in with waggons to the field of battle, and left with the reward of the world—misery for thanks. This is nothing but truth stated in my accounts.

We can readily understand that Mr. Molteno, with that fine indignation with which he attacked all evil and wrongdoing, should feel hot and sore within him for the suffering of his men, and we can also appreciate the stimulus which this experience gave to his determination to secure the Englishman's birthright for the Cape—the right to rule and govern himself, and be subject only to those over whose appointment he has some control, and to entrust himself and his interests only to a Parliament in the choice of whose members he has a part. We can well understand the groundwork for agitation which existed in the Colony among people so treated when the great convict question arose a few years later, and ignorant and distant officials added insult to injury in their attempt to make the Cape a penal settlement.

Let our readers re-peruse the above story when they read of Mr. Molteno's resistance to Sir Bartle Frere's purpose of placing the colonial forces under military officers. They will perceive the force of his determination to resist this course with all his might.

It is clear from this narrative what a very unfortunate feeling existed between the burgher forces and the military. Mr. Molteno was present at some of the altercations, and his testimony is appealed to by Sir Andries Stockenström in various places in his 'Autobiography' as that of one who was present during the various discussions which arose. The burghers asserted that they were required to perform all the



most difficult and dangerous duties, and were half-starved in the field while the regular troops were fully rationed. Mr. Molteno was more fortunate in this respect, as Sir Andries Stockenstrom had taken care to procure a supply of food for his men. The commissariat department being unequal to the strain upon it, the Queen's forces were regarded as having the first claim.

Several of the military officers acted in such a way as to incur the hatred of the colonists. Chief among these was Lieut.-Colonel Lindsay, who was in command at Fort Peddie. Among other arbitrary acts of this officer, on the 26th of May he caused a waggon-driver named John Smith to be tied up and severely flogged without trial, for refusing to collect fuel for the garrison. It was no uncommon thing for soldiers and burghers to make most taunting remarks to each other, and to such an extent did this prevail that eventually, when a call was made upon the burghers at a subsequent stage in this war, they declined to take the field, great excitement prevailing throughout the colony at the time with regard to an action brought by the waggon-driver Smith against Colonel Lindsay for causing him to be flogged, the colonists believing that upon the issue of this case their safety from outrage depended.

Mr. Molteno's experience was of great value to him subsequently, when he became responsible for the conduct of operations against Kreli in the Galeka war of 1878. We shall find the same difficulties occurring between the burgher force and the military, and to obviate this Mr. Molteno insisted upon his advice to the Governor to separate the military command from that of the burghers, and to follow the precedent of the appointment of a Commandant-General subject only to the Governor, as Sir Andries Stockenstrom had been appointed.

In this war it is interesting to observe that the Imperial Government were so much in ignorance of the condition of

the country that they sent out several staff officers to Sir Peregrine Maitland in answer to his request for reinforcements, *in order to organise the local force*. The Governor saw that this was quite impossible, and he found the presence of these officers a great embarrassment to him. As will be seen in the course of the narrative, Sir Bartle Frere made a similar attempt to place the colonists under military officers.

After serving several months in this campaign, Mr. Molteno returned to Beaufort, his experience, his knowledge of the country, its people, and the native inhabitants largely increased, and his character correspondingly developed.

He now returned to his farming operations, which had been so rudely interrupted, and for five years devoted himself entirely to organising the great area of land which he had acquired—nearly 100,000 acres in extent. At the end of this period he had brought his affairs into such a position that his constant presence and personal attention were no longer requisite. An excellent judge of character—that first requisite of a good administrator—he had placed managers on his farm who were entrusted with the details of the operations, reserving to himself a general control.

Mr. Molteno next turned his attention to Beaufort West, the capital of his district. This community was an enterprising one, and had the honour of being the first in the Colony to take advantage of municipal institutions. To enable these bodies to be established an ordinance had been passed in 1836; Beaufort had applied at once for the necessary powers; in January 1837 its regulations were framed and approved by the Government; and thereupon the Council was elected and began to sit.

Mr. Molteno now took up his permanent residence in this township; but before settling down he visited England. His absence of nearly twenty years had so changed his personal appearance—his clear-cut and precise features being adorned with a powerful beard—that his friends could scarcely

believe that they saw in him, bronzed as he was by a Karoo sun, the handsome, fresh-complexioned youth who had left them in 1831. His mother could scarcely realise that this was her long-absent son.

On his return, on the 20th of October, 1851, he was married in Cape Town to Miss E. M. Jarvis, the daughter of Mr. Hercules Crosse Jarvis, a scion of the family which had produced Earl St. Vincent, as well as Sir John Jervis, the Lord Chief Justice of the Common Pleas. Mr. Jarvis was the first citizen of Cape Town, for twenty years occupying the position of Chairman of the Municipality of this period. He used the influence of his position to the utmost to aid the movement in favour of representative institutions. He was elected one of the original members to represent Cape Town in the first Parliament of 1854, and subsequently he became a member of the Legislative Council. His views were in complete harmony with those of his new son-in-law: they were both Englishmen who carried with them to their new home their English birthright of self-government, and the determination to establish and exercise it.

Mr. Molteno entered with spirit into the various questions which came up for consideration by the community of Beaufort. He became a member of the Municipal Council, and at a subsequent period of the Divisional Council, and fulfilled the duties of his position on these two bodies with his usual energy. His first public act was directed to turn the great extent of Crown lands in the division to good account. They abutted on the farms in the district, and were squatted on by 'trek Boers' and Hottentots. The principal object was not so much to acquire the grazing of these lands, as to eject bad characters, who utilised these pieces of ground for holding communication with the farmers' servants, and robbing the farmers of their stock.

In conjunction with other residents, he proposed to the Government, in 1847, that these lands should be leased by

public auction at an upset price of 30s. per annum, the extent to be pointed out by the field-cornet, there being at that time no trigonometrical survey of the Colony; indeed, no survey at all of the Government lands. This measure turned out a great success, and the Government were soon able to increase the upset price of lands so leased. It was through his efforts that the town of Beaufort acquired the great area of commonage which it now enjoys.

He now turned his mercantile experience to account, and, in the middle of the year 1852, started a new business in Beaufort, which subsequently became known as the firm of P. J. Alport and Co. During the period of his connection with Mr. J. B. Ebdon, the latter gentleman had started the well-known Cape of Good Hope Bank, and Mr. Molteno had gained a considerable knowledge of banking under him. The town of Beaufort, the capital town of a district twice as large as Ireland, was without a bank of any kind. Mr. Molteno had done something to supply the want by issuing his own notes payable at Capetown, Port Elizabeth, and Mossel Bay. These had a large circulation. Nevertheless commercial progress was naturally hampered, and Mr. Molteno undertook to start a bank; an undertaking which he carried to a successful issue, to the great advantage of the district.

Mr. Vincent Rice first acted as his manager; but shortly afterwards, in 1853, Mr. Alport, his brother-in-law, a Yorkshireman of the family of that name, who had come to the Cape for his health, took the active management under Mr. Molteno's general supervision, and the business gradually assumed very large dimensions. In 1853 he purchased the extensive property in the town of Beaufort, which has ever since been in the occupation of Messrs. J. P. Alport and Co., while he further extended his business operations to various other centres in the district, such as Victoria West and Prince Albert.

## CHAPTER IV

## THE FIRST CAPE PARLIAMENT. 1854-59

Colonial Self-Government—Three periods of Colonial Policy—Absence of interference with American Colonies—Attempt to interfere fatal—Gradual emancipation of Colonies—Early struggles at Cape—Anti-Convict Agitation—Establishment of Representative Institutions—First Session—Objects of Representation—Law of Master and Servant codified—Takes prominent part in Legislation—Sketch by 'Limner'—Grievances of Burghers—Sir George Grey—Co-operates in development of the Colony—Supports despatch of Troops to India—Defends Free State—Defends Representative Institutions—Condemns Government Financial Policy.

MR. MOLTENO was on the threshold of a new and distinguished career. He was one of those Englishmen who have vindicated the capacity of our race to govern itself. The demand of English colonists has ever been that when they left England they carried with them the rights of Englishmen, and by this they mean no abstract rights, but those conditions which the English nation has established as suited to its people. The offspring of England cannot be a subject race, even where the dominion is exercised by their kinsmen who remain at home; they are an integral part of the English people which, by the circumstances of the case, must be separate in government and domicile.

This was the theory of both the Home Government and the colonists so early as the days of Sir Walter Raleigh, when Queen Elizabeth held out, as an inducement to those who went out with him, that they were permitted to accompany him 'with guarantee of a continuance of the enjoyment of all the rights which her subjects enjoyed at home.'<sup>1</sup> 'The early colonist from England grew up from the

<sup>1</sup> Merivale, *On Colonisation*, vol. i. p. 100; Adderley, *Colonial Policy*, p. 17.

beginning in a spirit of independence and self-reliance, and instead of parting with a portion of his rights when he settled in a distant dependency, the emigrant felt that he breathed a freer air than that of the land he had relinquished.'<sup>1</sup>

The reply of the people of Barbados, when called upon to submit to the Government of the Commonwealth, exemplified this spirit. 'They replied that they had not gone out to be subjected to the will and command of those that stay at home. Englishmen living in Barbados had the same rights as Englishmen living in England; and as Englishmen living in Barbados did not interfere with Englishmen living in England, it was no business of the home section of Englishmen to interfere with the colonial section. They were not represented in the English Parliament—the English Parliament therefore could not exercise authority over them except by their own free will. They were not a dependency, they were a second England—a colony.'<sup>2</sup> Thus the seeds of responsible government were coeval with the earliest colonial settlements.

Our colonial policy seems to fall naturally into three periods. In the first, which lasted down to the War of American Independence, the colonies mostly governed themselves. 'The early English colonists were in practice nearly independent of the mother-country, except as to their external commercial relations.'<sup>3</sup> Adam Smith tells us the same thing:—'In everything except their foreign trade the liberty of English colonists to manage their own affairs in their own way is complete.' There was so little interference on the part of England with the self-government of the colonies, that there was no official department of Government charged with their relations, and the only business being

<sup>1</sup> Merivale, *On Colonisation*, vol. i. p. 70.

<sup>2</sup> Mr. Lucas's Introduction to *Lewis on Dependencies*, p. xxx.

<sup>3</sup> Lewis, *On Dependencies*, p. 159.

commercial, it was transacted by the Board of Trade. We controlled the commercial policies of the colonists; but as this was in accord with ideas then universally prevalent, it gave rise to no ill-feeling. This control we had copied from the policy of Spain towards her colonies,<sup>1</sup> a vicious example. Merivale tells us that representative government was seldom expressly granted in the earliest colonial charters; *it was assumed as a matter of right.*<sup>2</sup> In 1619 'a House of Burgesses broke out in Virginia,' says Hutchinson, in his 'History of Massachusetts.'<sup>3</sup> It was at once acceded to by the mother-country as a matter of course.

So free were the American colonies that in some the people elected the Governor himself. In some neither the Crown nor the Governor had any veto on the laws passed by the Assemblies! Thus Connecticut and Rhode Island were to all intents democracies, united to the Empire by allegiance only.<sup>4</sup> 'It never occurred to our first American colonists that they were not capable on their arrival on new shores of the same measure of liberty, and of the same discharge of all social duties, as they had been accustomed to in England.' They not only governed, but defended themselves; and during the Seven Years' War they raised, clothed, and paid 25,000 soldiers. They put down, unaided, internal rebellions and native risings. To such an extent were they accustomed to rely on themselves, that one of the grievances in the Declaration of Independence was 'the quartering of English troops among them in time of peace.'<sup>5</sup>

The second period of colonial policy opened with our fatal imposition of the Stamp Act, and led to our tampering with colonial self-government. As a consequence we lost the American colonies, almost all we then had; and we sought to hold those few that remained, and the new

<sup>1</sup> Lewis, p. 159.

<sup>2</sup> *Colonisation*, vol. i. p. 101.

<sup>3</sup> Hutchinson's *History of Massachusetts*, p. 94.

<sup>4</sup> Merivale, vol. i. p. 104.

<sup>5</sup> Adderley, *The Colonial Policy of Lord John Russell*, pp. 4, 5.

colonies which we subsequently acquired, by governing them from home, 'taking no service from them, but the expense on ourselves.' It was in this second period that we occupied and acquired the Cape. The prevailing ideas were there applied. We fought for it, and we paid for the fighting, and had the privilege of the full responsibility of government, with results which were far from satisfactory, for a series of Kaffir wars had resulted from our vacillating policy—the effects of an attempt to control a matter of extreme delicacy from a distance.

Notwithstanding the sacrifice of blood and treasure to which we had been put we received but little thanks, and indeed alienated the frontier population to such an extent that they preferred to abandon all their property and go out into the unknown wilds rather than remain under so uncongenial a rule. Under such conditions and such a mode of government, the Cape was indeed an expensive luxury to the English Government.

Speaking in the House of Commons in 1855, Sir W. Molesworth said 'that our military expenditure at the Cape amounted to between 400,000*l.* and 500,000*l.* a year, besides a series of Kaffir wars, which on an average had cost this country 1,000,000*l.* a year.' To this second period must be referred the attempt to force convicts upon the Cape, with the ever-memorable resistance called out by it—a resistance which so stimulated the demand for representative institutions, that on the presentation of the petition to this effect Sir Harry Smith, the Governor, felt himself compelled, without waiting for instructions, to consent.<sup>1</sup>

Then comes the third period of our colonial policy, in which the principle of colonial self-government recovered itself.<sup>2</sup> As has already been mentioned, there was no self-

<sup>1</sup> Sir Charles Adderley, *Colonial Policy*, p. 169.

<sup>2</sup> 'The normal current of colonial history,' says Sir Charles Adderley, 'is perpetual assertion of the right to self-government.'—*Colonial Policy*, p. 3.



government for a colony for a considerable period after the American war.<sup>1</sup> To the great groups of colonies in Canada, Australia, and South Africa, we are indebted 'for having refused to submit to any inferior terms of citizenship than such as habitually belong to our nation.' 'The American provinces,' says Sir Charles Adderley, 'have stoutly vindicated a right to responsibility of government. The Australians have thrown off indignantly the stigma of their origin in transportation, redeeming the nobility of colonisation from the servile duties of national scavengers, and South Africa lent to English spirit the fulcrum of a Dutch Back to resist the requisition of a similar service from the mother-country. By struggles like these our colonial policy has righted itself.'<sup>2</sup>

Until 1854 the constitution of the Cape vested the power of legislation in a Governor, appointed by the Crown, assisted by an Executive Council and a Legislative Council, both of which were equally appointed by the Crown. They numbered thirteen members in all, of whom seven (including the Governor and Commander of the Forces) sat by virtue of the offices which they held, while six members, called 'unofficial,' were recommended by the Governor and appointed by the Crown—all held their seats during the pleasure of the Crown. In 1841 the inhabitants of Cape Town and its vicinity, in public meeting assembled, petitioned the Home Government that their government might be assimilated to that of Great Britain, and asked for a Legislative Assembly freely elected by the people.

Sir George Napier, the Governor, backed this petition warmly, attributing in large measure the prevailing ignorance and discontent to the form of government. Lord Stanley refused, but Earl Grey was inclined to grant representative institutions, and referred the matter to Sir Harry Smith, who was now Governor. 'There is but one opinion,' said Sir H.

<sup>1</sup> Lewis, p. 159.

<sup>2</sup> Sir Charles Adderley, *Colonial Policy*, p. 18.

Smith, 'on the desirableness of the institution of representative government.' Towards the close of 1848, before the convict troubles began, Sir Harry Smith transmitted to Earl Grey a petition from the Commissioners of Municipalities of Cape Town signed 'Hercules Jarvis, Chairman, and Dennyssen, Secretary,' praying for the cession of their long neglected claim for a voice in the management of their own affairs.

The anti-convict agitation now supervened, and, as we have seen, gave so much force to the demand for representative institutions that the Governor was forced to give his consent in advance.

At first it was proposed that the Upper Chamber should consist of nominees of the Crown, but to such a pass had official mismanagement brought affairs that Sir John Wylde, the Chief Justice (a brother of Lord Truro), upon being consulted expressed a fear 'that so completely had Crown nomination begun to stink in the colonial nostrils, that it would actually degrade an upper chamber composed by its means so much as to make it the butt rather than the counterpoise or dignified referee of the more popular assembly.'<sup>1</sup> While, he added, as to the legislative competency of the Colony, 'no doubt has been or can be raised as to the sufficient extent of its population, its revenue, commerce, or general public interests.'

Eventually, after many difficulties, into which it is unnecessary to enter here, a Constitution was established, providing for a Legislative Council to be elected by the Colony in two great constituencies, and a Parliament also elected freely by the people; but Earl Grey declared, in reply to the Attorney-General's recommendation that the Executive should be eligible to the Assembly, that 'the Cape was completely unfit for responsible government.'

Though the wholly elective character of the Legislative

<sup>1</sup> Sir Charles Adderley, *Statement of the Present Cape Case*, p. 19.

Council marked an advance of the elective principle beyond what prevailed in any of the other colonies whose upper chambers were without exception constituted either in whole or in part of nominees of the Crown, the advocates of representative institutions were dissatisfied with anything halting short of responsible government. They believed that the British Constitution required not only the presence but the participation of the Executive in the Legislature, prophesying that the attempt to make the Executive independent of the Legislature would be fatal, unless it were maintained by reducing the Legislature to a cipher. These predictions were to be amply verified by the result,<sup>1</sup> but the difficulties which would otherwise immediately have come into prominence owing to this restriction were deferred by reason of the appointment of Sir George Grey to the Governorship of the Cape and the administration of the new Constitution.

With the attainment of the third stage in the development of responsible government, so long deferred in the case of the Cape Colony, Mr. Molteno's name will ever be associated. The long struggle, resulting in its successful establishment, is to be told in a later portion of this story.

Though a skilful business man, Mr. Molteno was by nature a politician and parliamentarian. The conditions of colonial life were similar to those under which Washington's character was developed; and we may apply the words used by Mr. Lecky of Washington to Mr. Molteno's

<sup>1</sup> The words of Sir Charles Adderley upon this subject are worth quoting:—'What is asked for South Africa? Emancipation from England? Separation? No, but the avoidance of separation—fair treatment—the rule of an English colony on English principles. Thus it may become a thriving outstation of the Empire instead of a jobbed location. Thus may we have a real *pied-à-terre* on our Indian and Australian route, where if we please we may place our forts or naval stations, dockyards, or ports amongst friends and fellow-countrymen. And if a future like that of India's history opens on our African frontier, we may find on the spot a self-acting power controlling and regulating a destined extension of empire, without adding another chapter of speculation, and waste, and bloodshed to the annals of our own country.'—Sir C. Adderley: *Statement of the Present Cape Case*, p. 86.

circumstances, and to the effects on his character:—‘A courteous and hospitable country gentleman, a skilful farmer, a very keen sportsman. . . it was in a great degree in the administration of a large estate, and in assiduous attention to county and provincial business that he acquired his rare skill in reading and managing men.’<sup>1</sup>

He had attained a leading position in the district during the ten years he had now resided there and had been a strong supporter of the anti-convict agitation. He is believed to have made his first speech at one of the great meetings held to denounce the action of the Secretary of State in attempting to turn the old and honourable Colony of the Cape into a penal settlement. When representative institutions, of which he had been a leading advocate, were brought into operation in 1854, he stood for Beaufort, to which two seats were assigned. Besides himself there were three candidates, Dr. Christie, Mr. H. Rose, who had long resided in the district, and Mr. J. H. Hofmeyer, LL.D. Mr. Molteno was returned at the head of the poll, Dr. Christie being elected as his colleague. He represented his constituency for a quarter of a century, and only on his resignation in 1878 did his connection with it cease.

Mr. Molteno having had a wide experience of the Colony, knowing its circumstances and its people thoroughly, and being gifted with sound judgment, immediately became a leading member of the new Parliament. Whatsoever his hand found to do, he did it with his might. With the true instinct of the born administrator, he had so arranged his private affairs, whether it were his farming, or his banking, or his commercial business, that he was enabled to devote himself heart and soul to his parliamentary work while the House was sitting.

In the first session of Parliament, he gave evidence of the far-seeing manner in which he regarded the work-

<sup>1</sup> *Lecky's England in the 18th Century*, vol. iv. p. 210.

ing of representative institutions in South Africa. He realised that the Legislature could only do good work if it really represented the feelings, the aspirations, and the wants of the community. At this time large bands of natives roamed over the country subject to little or no control. They were under no special headmen, they preyed upon the farmers, and their migratory habits prevented any legal supervision being exercised over them. Mr. Molteno represented the feeling of the country, which was very strong, that some legal control should be exercised over these persons as well as over those who were nominally in the service of the farmers. This state of affairs prevailed not only in the east of the Colony, but to a greater extent even on the northern and north-eastern frontiers, and he drew attention to the absence of all control over the streams of native foreigners who were pouring into the Colony. He moved resolutions that a law dealing with the relations of master and servant should be introduced by the Government. He said he spoke as a practical man :—

SIR,—I may say I consider myself a practical farmer. I have lived and resided on my own farm for many years, and employed a number of servants, ten, twenty, and even as many as fifty servants. I do not consider myself an ultra man on the subject. I think it is one of the main objects of Parliament to express the feelings of the country, and I think it will be highly useful for this House to be correctly informed of the views and opinions of the public throughout this vast Colony upon the important subject which I have thought it my duty to bring forward. If the complaints of the country inhabitants are unheard, they may bear for a time the grievances under which they labour—they will bear them to the last moment—and then what do they do? They set themselves in opposition to the law, which is, of course, unjustifiable. Therefore the country members are bound to represent faithfully to this House the sentiments and feelings of their constituents.

In vain he urged upon the Executive Government to bring in a law dealing with this subject. Nothing was done. Again, without success, in the session of 1855, he drew

attention to it, and in the session of 1856 he introduced an elaborate Act which repealed all previous enactments on the subject, and which remains to-day the fundamental code of law upon the question of master and servant. In place of allowing masters to take the law into their own hands in punishing their servants, thus at times leading to violence and outrage, the relations were placed upon a legal footing, and the authority of the magistrate was interposed between the hasty violence of the master exasperated by the obstinacy and carelessness of his servant. A few slight amendments were made by Mr. Molteno's Government in 1873 and 1874 to this measure, which still remains the law of the Colony, and has worked most successfully.

In the first session of the Colonial Parliament Mr. Molteno gave evidence of his skill in parliamentary debate, and the prominent part which he was likely to take in the conduct of parliamentary government. Upon the opening of the session of 1855 we find the following picture drawn of him by 'Limner,'<sup>1</sup> among a series describing the members of the Parliament, with considerable skill and ability :—

This gentleman has occupied the next seat until within the last few days, since the return of Mr. Watermeyer. The representative of Beaufort is good-natured with everybody and everything but the Government and the Eastern Province people. He is apparently in the prime of life and a man of ample proportions; cultivates his beard, or rather allows it to cultivate itself; has an intellectual appearance, a bright, mischievous, and restless eye, is easily amused, and takes a very active share in the business of the House. His speeches are made off-hand, without much consideration or effort. A kind of ready-made oratory, full of practical remarks, penetration, inexperience, and mistakes. He is a consistent denouncer of Government abuses, and never commits himself to an appearance of wishing to curry favour with the Government or its representatives. He is very apt to be led away

<sup>1</sup> This was the *nom de plume* of P. W. Murray, Senior. He subsequently became one of the bitterest political partisans against Mr. Molteno's policy, and this found expression in the articles of the successive journals of which he became the editor.

by excessive zeal for anti-Government attacks. He remembers great oppressions and thoughtless injuries which the people have had to bear. He has very little sympathy with any policy admired by hon. gentlemen from the Eastern Province, and is a formidable opponent to a Burgher Law for the Western Province. When on his legs he addresses himself rather to individual members than to the House; he is outspoken, vigilant, attentive, and is justly entitled to be considered, by comparison, a parliamentary star of some magnitude.

The allusion in this extract to the Burgher Law refers to the most important matter which had yet come before the newly created Colonial Parliament, namely, the Burgher Act for the defence of the Colony. This question led to closer divisions in the House than any other yet raised, and was the cause of intense excitement throughout the Western Province.

A Bill was introduced in the Legislative Council, which was approved there and was transmitted in due course to the Assembly, where it met with the most stringent opposition from a majority of the western members led by Mr. Molteno. His opportunity had come for drawing attention to the enormous evils suffered by the burghers in the campaign of 1846, and for putting an effective stop to their recurrence in the future. He was determined to provide as far as possible against a recurrence of what had been so conspicuous on that occasion, when the inhabitants of the entire Colony were assembled on the eastern frontier without any arrangement having been made for supplying them with provisions or forage. The want of foresight displayed on the part of those in authority, combined with utter ignorance of the mode of operations most effective against such an enemy as the Kaffirs, had resulted, not only in a vast amount of unnecessary suffering and delay, but in the failure of the chief object of the campaign, the breaking up of the Kaffir power.

The Bill, as it was received from the Council, provided for the organisation of the burghers in time of war under officers selected by themselves as commandants, who would

themselves select the commandant-general, who was to communicate *directly with the Governor*, and not through military officers of lower rank, for all great operations in the war. To this there was no objection, but the Bill provided further that the selection of those to serve was to be by ballot, and that the wealthy should be allowed to purchase substitutes. Most objectionable of all was the absolute power which it proposed to give to the Governor to call out the burgher forces for any and every purpose which might seem good to him, both within and without the boundaries of the Colony.

Mr. Molteno, in opposing the Bill, entered at length into the sufferings and hardships endured by the western burghers in the war of 1846, to which we have already drawn attention, while he and those who acted with him pointed out that the vast distance separating the bulk of the western burghers from the frontier rendered impossible any immediate and effective aid in case of an outbreak of natives. They objected that the power of purchasing substitutes would operate most unfairly towards the poorer burghers; that the ballot was an objectionable mode of choice; and that the proper principle was to tax the Colony to raise and maintain a really effective police force, always ready and suited for the purpose in view.

But, above all, it was monstrous to give power to the Governor to call out the burghers for any and every purpose in his sole discretion. As Mr. Molteno wrote at the time: 'The Bill proposes to place at the absolute disposal of whoever may happen to be the Governor of this Colony, be he a man in whom the people have or have not confidence—by the most objectionable plan of the *ballot*—a large portion of the inhabitants of this Colony, without the least limitation as to the manner in which they are to be employed, either within or without the Colony, or of the time they are to be so kept employed.'<sup>1</sup>

<sup>1</sup> Letter to the *Commercial Advertiser*, 8th of May, 1855.



He further pointed out that, judging from the actions of past Governors, the burghers might be used for further attacks on the emigrant farmers<sup>1</sup> or on powerful native chiefs, such as the Basutos, and in other cases in which the Colony had no say and no concern.

The Bill, however, passed its second reading. In committee Mr. Molteno continued to offer the most strenuous opposition to the clauses taken *seriatim*. He made full use of the power of a minority under the rules of the House. In consequence of this opposition the chance of the Bill passing was becoming remote, and the Colonial Secretary intervened with a new proposal for a reference to a select committee. It appeared that the Governor (Sir George Grey) really agreed with Mr. Molteno's views, and did not ask for the enormous powers which the Bill would force on him.

The Colonial Secretary stated that the Governor would be quite content if the Bill were referred to a select committee with the instruction to provide that the burghers to be enrolled should be 'organised for the defence of the Colony in their respective divisions'—thus limiting the power of the Governor and confining the organisation to the defence of the respective divisions of the Colony in which the burghers resided. At the same time the Colonial Secretary admitted that the objections to the ballot were well founded, as well as those directed against a clause enacting that no burgher should leave his district without proper notice to the Government officials—a restriction to which Mr. Molteno had strenuously objected in his criticisms of the Bill.

These proposals of the Colonial Secretary removed the chief objections urged by Mr. Molteno, while they fully justified his opposition to the crude form of the original Bill. His name was included on the committee of five which eventually brought up a draft Bill that became law

<sup>1</sup> It would appear from this that the policy which led to the battle of Boom-plats was not approved by Mr. Molteno, or by the Cape Colonists generally.

without further difficulty in the course of the session. The principle for which he had contended of raising a police force was approved by Sir George Grey, and an Act for this purpose was passed in the same session for the payment of a force called the Frontier Armed and Mounted Police, which has since done such splendid work in the maintenance of peace and in the operations of war. The Governor fully approved of the course adopted in regard to the Burgher Act and the 'Act for the Better Organisation of the Armed and Mounted Police Force,' and in reporting these measures to the Secretary of State he said: 'Your Lordship will be glad to hear how liberally the Cape Parliament has aided in providing for the defence of the frontier. I think in that respect they did all they could usefully have done. . . . I should add that the Colonial Parliament did everything in reference to frontier defence that I asked them to do.'<sup>1</sup>

In the person of Sir George Grey the Imperial Government had chosen a Governor and High Commissioner who was eminently fitted to foster and watch over the early days of representative government. He had been one of the explorers of Western Australia, and had successively held the positions of Governor of South Australia and of New Zealand, where he had displayed great skill, tact, and ability, particularly in his dealing with the native inhabitants of these countries. The selection by the Duke of Newcastle of this able, energetic, and liberal-minded man, with wide experience of colonial administration and with a firm belief in the capacity of the British colonists to govern themselves, was soon justified by the success which attended his administration in initiating the new form of government.

He invited the co-operation of the newly-established Legislature in his policy of developing the material

<sup>1</sup> Despatches of 5th and 8th of June, 1855; Sir G. Grey to Lord Russell, *Cape Parliamentary Papers*, 1857.

resources of the country, and of extending civilised rule over the barbarous inhabitants of the eastern frontier. While in regard to the other European communities of South Africa he endeavoured to build up a system under which the various races in South Africa might with mutual advantage be constantly brought into frequent and permanent intercourse with each other as the civilised portions of the population spread further and further from the parent Colony.

The Colony was the main base for such extensive movements, and its aid was necessary for the establishment by means of public works of great lines of communication, and for the provision of other facilities towards the successful prosecution of its trade and commerce. Sir George Grey has expressed to the writer personally his great indebtedness to the constant and energetic support which he received in the Cape Parliament from Mr. Molteno in the carrying out of this policy, and with regard to the Parliament itself he has publicly expressed his acknowledgment of the large and generous aid which he derived from it.

One of the most striking acts, from the point of view of the Empire as a whole, during Sir George Grey's Governorship of the Cape was the manner in which he denuded the Colony of troops to aid the Government of India in coping with the tremendous crisis of the Mutiny. And an attack was made upon him in connection with his use of the Frontier Armed and Mounted Police owing to his action in sending on all the Imperial troops to India. Mr. Solomon had moved in the session of 1858 what was practically a vote of censure.

To this Mr. Molteno moved as an amendment that the Governor was fully warranted in employing the Frontier Armed and Mounted Police in the manner which he had done under the circumstances. He considered the adoption of the motion would be a censure upon Sir George Grey, and he urged that there was a complete justification for the use of these forces

in the fact of the demand for the Imperial troops in India. The British Government had sent out troops, subsequently, and had granted 40,000*l.* per annum for the civilisation of Kaffraria, and when they were doing all that in the interests of the Colony, he thought the House should be careful in offering an opinion as to what had been done. It would be different if the Colony had undertaken to be responsible for its own defence. The principal debate of the session ensued upon this question and lasted for several days, but Mr. Molteno's amendment was carried by an overwhelming majority.

In this same session we have evidence of the fairness and justice with which Mr. Molteno regarded the difficulties which beset the settlers in the outlying portions of South Africa. Upon a motion in regard to the Basuto war he deprecated a discussion on the respective merits of Boers and Basutos. An attempt had been made to insinuate that the Boers were entirely and completely to blame, and he thought that that was very unfair. The Boers could hardly help themselves, and he thought it a 'damning' policy to show that the white people were split up among themselves while the natives combined. He said, 'Don't condemn the farmers hastily without making any allowance for their peculiar position, and without looking to the fact that they are the safeguard of the Colony.' In his defence of these people Mr. Molteno came into collision with Mr. Solomon, and he spoke with much warmth.

Ever ready to defend representative institutions, he fired up when Mr. Darnell, a strong 'anti-responsible,'<sup>1</sup> moved for a return of the expenses of introducing and maintaining representative institutions in the Colony. Mr. Molteno did not oppose this, but wished to add that the returns should incorporate all the work done. He said he had himself made

<sup>1</sup> Such was the familiar term applied at the Cape to the opponents of the introduction of responsible government.

up a return of the cost for five years which came to 50,000*l.*, and taking the white inhabitants of the Colony at 300,000 it came to 3*s.* 4*d.* per head, or 8*d.* per annum, which he thought a very small tax compared with the value of the institutions possessed. When questions on the subject of finance and public expenditure were involved Mr. Molteno was always to the fore, and in the session of 1859 he took exception to the action of the Government in bringing in the estimates and financial statement for the year at so late a period of the session, as a practice which precluded the discussion and consideration which the importance of the subject demanded.

A system had grown up by which the Governor annually expended large sums in addition to those voted by the House. Bills were then sent down to the House to cover these payments. There was no Public Accounts Committee as there is to-day, and the Auditor-General's position was an entirely different one from that of the officer so named at the present time.

Mr. Molteno moved that the Governor be asked to inform the House when a separate and particular account of all moneys paid without being covered by the votes would be forthcoming; and further, that in the opinion of the House this should be done at the commencement of every session, with the particular reasons which led to the expenditure, and he referred to the fact that the Governor had promised last session that this should be done. He said that he looked upon the House as the guardian of the public purse and the controller of the general expenditure, but with the present system it was almost impossible for the House to exercise the control it should. The votes on the estimates were almost always largely exceeded. He had carefully gone through the accounts, the estimates of revenue and expenditure laid before the House, but could not find any reason given as promised or any explanation. To this the Government consented.

## CHAPTER V

## STRUGGLE FOR RESPONSIBLE GOVERNMENT. 1860-63

**Motion in favour of Responsible Government—Motion as to Finances agreed to—Sir George Grey's Policy of Confederation—His Recall—Sir Philip Wodehouse Governor—Reactionary Policy—Two Great Questions—Responsible Government and Separation—Success of Representative Institutions—Sir George Grey's Views on Responsible Government—Financial Troubles—Rejection of Government Measures—Fresh Motion in favour of Responsible Government—Present System Unworkable—Easterns Oppose—Attack on Mr. Molteno.**

WE are now on the eve of the acutest phase of the struggle for responsible government at the Cape. In the session of 1860 Mr. Molteno moved for the first time a resolution affirming the necessity of the establishment of responsible government. The principle of this resolution was substantially followed in the Responsible Government Act of 1872:—

That as it appears that the tenure on which the Executive Council at present holds office is incompatible with the satisfactory working of representative institutions, it is the opinion of this House that those officers should be qualified to be elected as members of either House of Parliament, and should hold office only so long as they possess the confidence of the Legislature.

Mr. Molteno said that in his opinion responsible government was absolutely requisite in order that the true interests of the Colony might be satisfactorily advanced. Some who agreed in the principle had formerly argued that its introduction was premature. He was, however, persuaded that many who had then opposed it were now convinced that it could no longer be delayed. Without denying that the present constitution had done good, yet he conceived that if they did not go on and complete their free institutions, they

must retrograde. It had been found that under the present constitution the House had very little control over public expenditure, and the conviction of this fact was producing a bad effect upon the public mind. The country was becoming of opinion that its representative institutions were of very little use, and if an extensive feeling of this kind were permitted to pervade the country it was very much to be lamented; in fact, there was a danger of the country preferring a system of despotic government—to depend upon any other than themselves for the government of the country had a most damaging and depressing effect.

He stated that he might have pursued a policy of obstruction, but he had not done so; and had loyally endeavoured to work the system in vogue. Now, however, the time for a change was certainly approaching. In proof of this he referred to the way in which the votes of the House had been exceeded, and referred to the unauthorised expenditure over which the House had no control.

This debate was remarkable for the powerful support which the motion received from the Colonial Secretary, Mr. Rawson, and the Attorney-General, Mr. Porter, who expressed their conviction that the existing system of government was wholly unsuitable in theory and most inconvenient in practice, and that the change to responsible government would be greatly advantageous to the country. An amendment was moved that it was advisable to await the verdict of the new Parliament after the country should have had an opportunity of expressing its views upon the subject. The debate was the longest which took place in that session, and eventually the amendment was carried by the very close majority of twenty to eighteen.

When the estimates for the year came to be discussed the Colonial Secretary, in a speech of nearly three hours, moved to go into a committee of supply. Mr. Molteno thereupon moved as an amendment a resolution to the

effect: (1) That the revenue was sufficient and increasing. (2) That there was no necessity for fresh taxation. (3) That export duties are objectionable, and a duty on wool especially so. (4) That there should be a principle of local taxation for local works and improvements. In his speech on the motion he referred to the *exposé* of the financial condition of the Colony made so recently, urging with many pointed illustrations that a great reform was necessary in the administration of the finances of the Colony, and the amendment was agreed to. During the debate the Colonial Secretary disputed Mr. Molteno's figures with respect to the deficiency in the revenue. The latter, however, contended that he was right, and would be found to be so if the accounts were rigidly gone into. At a much later period it was ascertained that a very large sum had not been brought to account during all these years, amounting in 1875, when the discovery was made, to no less than 1,000,000*l.* sterling.

A great change in the administration of South Africa was at hand. Sir George Grey, with his keen insight and powerful intelligence, had recognised the difficulty which would arise if the policy of disintegration evidenced by the abandonment of the Orange River Sovereignty were continued by the Imperial Government. Representations had been made to him by the public of the Free State, inquiring whether if proposals for annexation to the Cape were made by the Free State to the Cape, he would consent to act upon such proposals. To this he replied that as Governor he could receive no proposals unless he were approached through the Government of the State. This was a proper constitutional principle. To its neglect subsequently in the case of the annexation of the Transvaal, when the Government was overridden and the Legislature ignored, may be traced the serious evils which followed the hasty seizure of that country.

The Government of the Free State thereupon made



proposals to the Cape. Sir George, in transmitting them to the Secretary of State, urged their acceptance in a masterly despatch, showing the perfect grasp he had of the situation and submitting the most cogent arguments. To him the course seemed so clear that although he had not received the reply of the Secretary of State, he ventured to place the proposal in his opening speech before the Parliament.

The strongest disapproval, however, of this policy was expressed by Sir Edward Bulwer Lytton, then Secretary for the Colonies, who, as soon as he learnt the action taken by Sir George Grey, censured and recalled him. But before Sir George could reach England a change of ministry had taken place, and he was immediately reappointed, to the immense relief and joy of the whole of South Africa, both European and native. His services, unfortunately, were now required in New Zealand, to cope with the serious difficulties which had arisen there since his departure, and in 1862 he was succeeded by Sir Philip Wodehouse, who like his predecessor had had considerable experience as a colonial administrator, but an experience acquired solely in Crown colonies such as Ceylon, Honduras, and British Guiana.

As we have seen, considerable difficulties had already, even under Sir George Grey, arisen between the Parliament and the Executive. This had been anticipated by Sir Charles Adderley and the other supporters of representative institutions, but it was hoped that these difficulties would force the complete grant of responsible government at no distant date.<sup>1</sup> Sir George Grey had been in favour of the grant of responsible government—his successor's views were entirely opposed to it. The latter objected on principle to responsible government in any of the colonies, and particularly to its appli-

<sup>1</sup> Mr. Gibbon Wakefield had pointed out that 'representative institutions without responsibility is much like having a fire in a room with the chimney closed. The question is, how long will it be tolerated? And that, of course, depends on the strength of the fire.' Every session had given eloquent confirmation of the truth of this statement.

cation in the Cape Colony. He was an autocrat and could brook no popular interference with his dictates. He was a man of high character, and acted in accordance with the loftiest ideas of his duties, yet his views entirely unfitted him to govern a colony in the condition in which he found the Cape. It is true his difficulties were not small, the Colony was heavily in debt, the revenue unequal to the expenditure, the Government machinery out of gear, and the country reduced by want of rain to a state of semi-starvation. Its political condition was equally unsatisfactory.

Two great questions divided the country into hostile camps—responsible government was put forward by one party as the true and only remedy for all difficulties, while the other advanced the theory of separation of the eastern and western provinces into two distinct colonies.<sup>1</sup> Even before he left England Sir Philip had consulted the Duke of Newcastle on the question of separation, but he found him very unwilling to give his consent to any policy of this character, for his Grace held, and held wisely, that it would render the country still less able to bear the burdens of its own land defence, and Sir Philip, with his peculiar views upon the subject of responsible government, would naturally give no inducement to the latter question being brought forward; indeed, we shall see at a later stage that he proposed a reversion to the Crown-colony form of government.

The establishment of representative institutions had given a great impetus to trade and to the development of the country—it gave confidence to the productive classes. The development of the resources of the Colony was promoted by a liberal expenditure on public works, by the extension to the more remote districts of conveniences and advantages which had until now been lacking. The public revenue, which in 1853 did not exceed 280,000*l.*, gradually increased each year till in 1858 it was nearly double, viz. 460,000*l.*

<sup>1</sup> See despatch to the Duke of Newcastle, 5th of December, 1861.

At the conclusion of this period, being the duration of the first Parliament, the Governor in his closing speech had complimented the two Houses upon the wisdom and moderation which had marked their deliberations, as well as the great usefulness of the legislation they had enacted. While the Colonial Secretary bore eloquent testimony to the extraordinary advance upon the previous form of government, and said that in four short years this Parliament had done more for the prosperity and happiness of the country than it would have been possible for the old Government, however well managed, to have accomplished in half a century.<sup>1</sup>

Sir George Grey was in accord with Mr. Molteno's views on this subject, and looked to a further extension in the same direction ; and this opinion he had expressed in a despatch to the Secretary of State in 1859, when he advocated the federation of South Africa, and urged that were this form of government established, 'the Governor, acting in accordance with the advice of his responsible Ministers, would avoid all the hazard now incurred by the High Commissioner of seriously involving her Majesty's Government with the inhabitants of this country. If he then adopted any measures repugnant to their feelings, his persistence would simply lead to a change in the Administration, not to the various disputes and difficulties with the home authorities which now take place.'<sup>2</sup> This advice was absolutely sound, and has been amply borne out by the subsequent history of responsible government.

Mr. Molteno acted on the principle that the existing form of government was only a temporary one, and that it must be completed by the establishment of responsible government. He therefore refused to do anything more than assist in carrying on the government of the country ; he would no

<sup>1</sup> Noble, *South Africa, Past and Present*, p. 231

<sup>2</sup> Despatch to the Secretary of State quoted in Noble, *South Africa, Past and Present*, p. 235.

longer consent to entrust a discredited Executive with larger sums of money than could be avoided. However necessary public works might be, he felt and said that the country could not afford the extravagant cost under such inefficient administration. Like Cato's 'Delenda est Carthago,' to all requisitions for expenditure beyond the ordinary purposes of government, he replied, 'Responsible government first.'

A great struggle now ensued between the Parliament, led by Mr. Molteno, and the Governor, while the Executive Council was evenly divided; the Attorney-General, Mr. Porter, and the Colonial Secretary, Mr. Rawson, both advocating the introduction of responsible government, and both having eloquently supported Mr. Molteno's resolution in favour of its introduction in 1860. The other members of the Executive were averse to it. It is not surprising that, looking to this opposition of views, the Governor replaced the officers who favoured responsible government by others of an opposite tendency. For ten years the great struggle lasted. Mr. Molteno bore the brunt of the battle, and never wavered in his support of popular government.

There was a local opposition to the introduction of responsible government—a conservative element which feared to undertake such a responsibility, while the eastern members opposed it tooth and nail, as they believed that it would lead to the immediate withdrawal of the Imperial troops from the frontier, while at the same time placing the power in the hands of the western members. The cry of the east was, 'Separation before everything.' Mr. Molteno's watchword was 'Responsible government before everything,' and his aim a united Colony which alone would command the resources required for carrying out the great public works which were necessary, and which would alone be equal to undertaking the defence of its own frontiers. The Governor admitted the difficulties of the position, but he attributed them to the existing form of government which,

according to him, allowed too much power to the Parliament. As a solution of the difficulties, he began with the question of east and west, and suggested two local Parliaments, with a joint federal Parliament, but this expedient the Secretary of State vetoed. Precluded from putting forward the direct separation of east from the west, he endeavoured to conciliate the east by various concessions, which resulted in making confusion worse confounded. The first proposal was for alternate Parliaments held successively in the west and the east, but the Parliament refused to hear of it.

In opening the session of 1863 the Governor admitted the serious condition in which the country was placed by the confusion, the embarrassment, and inherent weakness necessarily arising out of the existing form of government. At the same time a despatch was made public, in which he had said to the Duke of Newcastle that the Parliament had gained too great a control over the Executive. This statement annoyed the advocates of responsible government, while the western members were grievously disappointed that no effort to equalise the revenue and expenditure was foreshadowed. They were up in arms at once, hostile motions came fast, and Mr. Molteno moved that, looking to their mismanagement in the past, the Government could not be trusted with the expenditure of public money involved in the projected public works.<sup>1</sup>

<sup>1</sup> It was admitted by the apologists of the Government in the Press that these shortcomings had been 'great and lamentable—no country could have been worse governed than this unfortunate Cape. We are indignant at the extravagant and heedless squandering of public money, and the indifference to the welfare of the Colony exhibited by those to whom the management of our roads and bridges, the building of our gaols and suchlike have been committed, as even the Moltenos and the Watermeyers of the Cape Parliament are.' The journal in which this appeared, though supporting the Government, commented in the following remarks upon Mr. Molteno's action, but his views are misrepresented when he is stated to have been a disbeliever in Government; though he certainly was a disbeliever in the existing form of it: 'The member for Beaufort West has always been a disbeliever in Government. He declared "war to the knife" against it on the very first day he took a seat in the House of Assembly, and he has always come in armour ever since, ready to do battle

The financial troubles of the Government had commenced in 1859. In each successive session up to 1861 Parliament had seriously urged that the expenditure should be brought within the revenue, but the Government as steadily resisted. In that year Mr. Southey, the Colonial Secretary, announced that the treasury was empty, and that a number of unauthorised loans had been incurred to meet the excessive expenditure which there was no means of paying, and said that the responsibility of suggesting means for meeting the deficit devolved upon the House.

Mr. Molteno's motion not to entrust the Government with further public moneys was lost, but Dr. White moved that the financial difficulties of the Government were due to mismanagement and wasteful expenditure of public money by the Colonial Engineers Department and by the Roads Department under the Colonial Engineer. Mr. Watermeyer said it was no use censuring a department: it was the system of government which was at fault. This latter motion was supported by Mr. Molteno, and eventually carried by seventeen to ten.

The House was getting entirely out of hand when the Colonial Secretary introduced the Land Tax Bill. It was

whenever the opportunity offered, and, if none offered, to make it. A most uncompromising foe is he. He is the "Tipton Slasher" of the Cape Parliament; and when the political "Fistiana" of the Colony shall be written, the history of his fights will be the most remarkable and readable portion of it. He has more than once taken three members of the Executive, "one down, and the other come on," and then polished off a Governor into the bargain. On great occasions he will take all the Government at the same time; and if heads of departments permit themselves to be dragged in, he knocks them over the ropes with the greatest ease and indifference.

'Most Government people begin to regard him as an "awkward customer," and, as far as we are ourselves concerned, although not quite approving of his style of fighting, we rather delight in seeing him square up. He frequently gives Government an ugly punch or two in the right direction, which does them good, and has himself, on recent occasions, been winded in return, but never sufficiently so to prevent his coming to the scratch again. He and the Government are natural enemies, and are so regarded by all who take an interest in the parliamentary proceedings, of which the "setting-to" we mention is considered the most interesting and essential part.'

suggested that it should be 'read in full' and instantly rejected. The members were furious. Mr. Silverbauer, the member for Caledon, said it was an anomaly that the Executive officers should sit in the House as they had not been elected; that it was a farce to go on with the Bill, as they knew it would never pass, and that it would only raise a dangerous agitation if it were put before the country. By the forbearance of members, the Bill was allowed to go on to the usual formality for a second reading, but was rejected without a division.

With regard to extending the Road Act, Mr. Solomon said it was absurd that they should be asked to wait until some system of federation had been brought about before remedying the admitted defects of the system, for he did not believe that any system of federation could be brought about within a short time; and the House took this view and refused to extend the Act. Both Mr. Moltono and Mr. Solomon voted against this action, holding that some machinery was better than none, and that its effect would be merely to destroy without putting anything in its place; they were far too conservative in nature to enforce their views to the extremity of paralysing the Government of the day; they merely did their best to minimise the evils under which the country suffered from the form of government, and in no other sense could they be called obstructionists.

The Governor replied to Dr. White's motion, which had been transmitted to him by address, that he could not be personally to blame, as he had not initiated any enterprises involving fresh expenditure; and further that it was a misnomer to talk of the Government—there was only a Governor. He thought that the initiation of measures on the part of the Governor alone was not in accord with the Constitution Ordinance, and he had made a point of consulting the Executive Council on almost every occasion; he said he had authorised no new works, and was endeavouring to eco-

nomise by every means in his power. Mr. Molteno expressed great surprise that the Governor should have construed the resolution of Parliament in a personal sense. It was the office not the person, and the House was not in a position to immediately criticise the Act of the Government because they might find out only after a considerable lapse of time that matter for censure existed.

Mr. Molteno now moved, 'That in the opinion of this House the time has arrived when the introduction of the principle known as responsible government or parliamentary government into the administration of this Colony is both expedient and desirable.' And he seized the occasion to review the history of the movement. In 1855 a resolution was carried for a committee to consider what changes in the constitution were needed to introduce responsible government. Having had one session of Parliament, it was considered that the experience was sufficient to warrant the recommendation of this change. In 1856 a resolution adverse to it was carried, as it was thought the present representative institutions had not been given a fair trial.

In 1860 he himself had moved that the tenure of office of the Executive Council was not satisfactory, and should be subject to their responsibility to the House, while its members should be capable of being elected members of the House. This had been proposed in the Parliament which was in its last session in 1860, and it was not carried, as the people had not given their voice on the question. He said that he proposed this resolution now in the same Parliament because further experience had been gained which went to prove that the present system was unworkable :—

SIR,—I have come to the conclusion, not now, but long ago—and I am glad to find that I am supported in the opinion by the evidence of men in whom I think the Colony has a right to place a considerable amount of confidence, of men who could have no possible object in taking one view or the other, except to promote the best interests of the country—I have come to the



opinion, and I am justified in all by these eminent men, that it is absolutely impossible to go on with the government of this country much longer under the present system. Either you must introduce responsible government, or your constitution will be gradually undermined and destroyed. If you make no change, the only way the government can be carried on will be by getting the Parliament into due subordination to the Governor. You must get it to be practically a Parliament that can be managed. . . . You will drive out of the Parliament the independent men whom the country ought to have in Parliament. I do not think you can any longer continue to get good men to come down here and waste their time in making laws and regulations for the government of the country, unless they feel certain that the policy they lay down, and the views they advocate, will certainly be carried out by the Executive. . . . The only security we can have is the responsibility of the Ministry.

He said that the Executive Council were placed in a most humiliating position, and he wondered that any men could be found who would consent to take such a position :— ‘I think it must ultimately destroy every bit of patriotic or sound political feeling in them.’ It was a clear, lucid, well-arranged, and well-constructed speech, delivered with that clearness and force for which Mr. Molteno was so well known ; and it was large in conception, and worthy of the important question with which it dealt. He pointed out that eventually the existing system would lead to a deadlock, and to a direct conflict between the people and the Governor. It was too late in the age, he said, to think of coercion by force, and he referred to what was then passing in Prussia and Austria in the direction of a representation of the people in the Government.

The motion was seconded by Mr. F. S. Watermeyer, and supported by Mr. Solomon, who said that ‘*the real ground upon which I advocate responsible government is not that we have so weak a Government, but such a dangerously strong and irresponsible Opposition. . . . the consequence being that every measure of importance which the Government brings in*

*is thrown out, and the Parliament itself is unable to bring in anything in its place.'*

Mr. Harries, the leader of the Separation party, opposed the resolution on the ground that the time was not ripe; there were too few public men, and the Colony would have to bear the cost of its own defence.

After the debate had lasted three days, it was adjourned. The eastern members made constant motions for adjournment, and delayed the measure as far as the rules of the House would permit, in order to give time for their members to arrive from the east. When they were present in full force, Mr. Harries moved the order for the discharge of the motion, and Mr. Molteno said he would not oppose the order. 'He felt perfectly certain that the question of responsible government had advanced a considerable step; people understood it better than they did before, and he thought, placed as it had been before the country, it would be discussed, and people would find gradually that they could not much longer do without it. It was not desirable that such a subject should be unduly pressed forward.'

Mr. Molteno, in the manner in which he brought forward responsible government, gave evidence of that use of caution and patience which is characteristic of the truly scientific spirit. He advocated the treatment of the confederation of South Africa on the same lines. Let the people gradually see the advantages and realise the value of a united Colony; in the meantime, do all that is possible to facilitate intercourse, by overcoming the natural obstacles to communication, trusting to time and better knowledge of each other to heal old sores. Sir Bartle Frere and Lord Carnarvon said no, the federation must be accomplished in two years — *hinc illa lacrymæ*.

The Executive had naturally found Mr. Molteno a very awkward critic of their proceedings, and a dastardly attempt was now made to destroy his influence by suggesting that

he had made an improper claim in regard to the boundaries of his land at Nelspoort. A statement was made by the Treasurer-General in the preceding session in connection with the Land Boundaries Act, that there was a discrepancy between the original diagram of that property and the re-survey which had just been made, and it was insinuated that Mr. Molteno had made an improper attempt to enlarge his property at the expense of the Government land.

Mr. Molteno had immediately written to the Colonial Secretary explaining that he had no knowledge whatever that there was a discrepancy when he had joined with other proprietors in requesting a re-survey under the Land Boundaries Act, for the purpose of ascertaining the just and true extent of their property, and he expressed the hope that he 'would not be considered unreasonable in pressing upon his Excellency the Governor my very great desire for a speedy and final settlement of this matter, by which I may be relieved from a position which, especially as a member of the House of Assembly, I feel to be uncomfortable, and likely to interfere with my public duties.'

He declared that he had never had any idea of profiting by the Land Boundaries Act, which he had advocated in the public interests, with a view to obtaining definite and indisputable titles. 'With these views I wish the Government to consider that I, in the most unqualified manner, give up and cast overboard all and every possible benefit or advantage which I might or could derive in the settlement of this case from the Land Boundaries Act, and that I am perfectly willing and satisfied, and desirous to accept the decision of the Government in the matter, without any reference whatever to that Act.'<sup>1</sup>

Some of the members of the Government appeared to think it was a good thing to leave this charge hanging over Mr. Molteno; and although in the preceding ses-

<sup>1</sup> C. P., A—65 of 1863, p. 2.

sion after angry discussion, the Colonial Secretary had undertaken to advise the Government that an investigation should be made, that investigation had not been entered upon. In answer to a question in the House, by Mr. Molteno, as to what steps had been taken in regard to the proposed enquiry, the Colonial Secretary replied that the Governor had not done anything because there was no trigonometrical survey of the Colony, and without this it would be difficult to fix definite boundaries.

A debate was raised upon the subject again, this time upon the motion of the Government to defer the operation of the Lands Beacons Act. Mr. Molteno had complained of the delay in carrying out the Act, which was an Act devised by the Colonial Secretary, and carried through by the Attorney-General, and now there appeared to be an attempt to change the whole policy, and to keep the question open for other purposes. The Lands Beacons Act had been passed in 1859; no action was taken till 1860, and in 1862 the Colonial Secretary said it was generally considered imperfect.

Immediately after the responsible government debate, Mr. Franklin, an 'anti-responsible,' made a fresh attempt to make use of this question to discredit Mr. Molteno in the eyes of the public, and moved for all the papers connected with this matter. Mr. Molteno immediately said that he had no objection; those papers were for the most part already before the House, the Government had promised an enquiry, and had taken no steps to carry it out. The motion was a strange one, he added, if it were meant to be in his interests, as he had received no notice of the member's intention to make it. The Colonial Secretary maintained that he had only undertaken to advise the Governor to have an enquiry made, and that he had kept his promise.

In order to show what were the motives and the objects of the officials in this action, we quote from the speeches

of the leading members of Parliament. Mr. Brand, who later on in this year became President of the Orange Free State, said :—

That while giving the hon. member for Albany credit for acting *bond fide* in the matter, he must express his surprise and indignation at the course pursued by the instigator of this motion. Fair play was said to be the characteristic of Englishmen. Boldness was also a characteristic of Englishmen. Therefore let the instigator, whoever he might be—whether he filled a high position or not—come forward if he had the courage and put a motion upon the paper impeaching the hon. member for Beaufort of the crimes of which it had been insinuated he had been guilty. With regard to what has been said as to the warmth of temper displayed by the hon. member for Beaufort, he was astonished that in respect of unworthy insinuations made for political purposes, without an atom of truth, by individuals who had not the courage to bring forward a charge against him, he had displayed so much coolness to-day. He considered this an attempt to destroy the political influence of the hon. member for Beaufort.

Mr. F. S. Watermeyer followed with a vigorous speech in vindication of Mr. Molteno, and Mr. Solomon said :—

He could not but believe, as he had said, that it was a concerted movement of the anti-responsible government party to strike down the leader of the opposite party. He might judge wrongly, but he must say that it looked very much like a concerted movement when two motions of such a character were put upon the paper on the same day—and that day the day following the discussion on responsible government—by two gentlemen occupying prominent positions in the anti-responsible government party, living in the same town, and probably talking together as to the most effectual means of striking at the influence of certain hon. members. This was his view of the case.

Finally the Government were compelled to appoint a commission, which took evidence and reported. This report was presented to Parliament upon the motion of Mr. Molteno in the session of 1864, and finally disposed of the whole question. It appeared that the original survey, as had been the case almost throughout the Colony, had been made with extreme carelessness.

Some amusing stories are told of the manner in which these surveys were originally made. The land was of little value, and it mattered not whether a few hundred or thousand acres were included or not. Many boundaries were laid out by taking a natural object, such as the top of a hill, the area to be a square obtained by riding on horseback for one hour in a particular direction, and then turning at right angles for another hour, and so on until the original point was reached. At other times the chain bearer, being a native, would be directed to mark off the distance from where the surveyor stood to some distant point, but being unable to count he was supplied with a stick on which he was to make a notch for each chain. The surveyor would then busy himself about other matters; the native when out of sight would cut as many notches as he considered necessary, and after a proper time in his opinion had elapsed he would return to his master.'

At other times the surveys were conducted without theodolites—an upright post upon which was a cross was used, and the directions were settled by running the eye along the direction of this cross—the beacon was to be placed where this 'crishout,' or rough instrument, had stood. No beacon was erected, and the Courts had frequently to settle from conflicting evidence as to the exact position on which many years previously the 'crishout' had originally stood. On other occasions an ant-bear's earth, being the most conspicuous feature in the neighbourhood, was selected. In the course of time the ant-bear, having established its offspring in other earths in the neighbourhood, naturally it became a matter of extreme difficulty to ascertain the exact earth which had been originally selected.

In this case the land had been occupied by Mr. Molteno in accordance with the measurements pointed out by his predecessor, which he had accepted as correct until, as was natural with such inaccurate surveys, disputes began to arise

with his neighbours. It then became clear that the original surveys did not harmonise. The Commissioners pointed out in their report that the original claimants in these cases were sellers leaving the Colony, who sold without a diagram or title, and were not indisposed to exaggerate the extent of their farms. The original surveyor was before them, but they were unable to attach much value to his evidence. He stated that he was obliged somewhat hurriedly to proceed to a Kaffir war in 1835, and in consequence his papers and notes had got into confusion—some were mislaid and lost. Being ordered officially to send in a diagram in 1843, he then framed it to the best of his ability.<sup>1</sup> They further reported that the inspections mentioned in the evidence were almost worthless, as it appeared upon examination that they had been merely conducted in a house in Beaufort, and not on the spot as should have been the case.

It will readily be understood that as the land increased in value the disputes were frequent, and afforded ample employment for the lawyers. It was finally decided in the Supreme Court in the case of *Barrington versus the Colonial Government*, that where the diagram and the extent actually occupied and proved to have been in occupation for the period requisite to acquire a prescriptive right were at variance, this area should prevail against the diagram. The Commissioners who dealt with the Beaufort case took an opposite view, and the whole subject was disposed of by their report, which effectually killed this unfounded accusation.<sup>2</sup>

<sup>1</sup> See *C. P.*, G—40 of 1864, p. 48.

<sup>2</sup> The report will be found in *C. P.*, G—40 of 1864.

## CHAPTER VI

## MAINTENANCE OF THE UNITY OF THE COLONY. 1863-67

Governor summons Parliament in Grahamstown—Sketch of Mr. Molteno by 'Limner'—Mr. Molteno Leader of House—Serious position of Western Members—Opposes Governor's Separation Measures—Motion for removal of seat of Government—Strong Party Feeling—British Kaffraria—Tranakai—High-handed action of Governor—New Session—Mr. Molteno challenges action of Governor—Annexation and Representation Bills—Governor censured by Parliament—Legislation paralysed—Violent Obstruction by Eastern Members—Carelessness and Incompetency of Executive—Redress of Grievances precedes Supply—Disastrous Condition of Colony—New Session—Withdrawal of Troops—Strained Relations between Executive and Parliament—Griffiths appointed Attorney-General—Crown Lands, necessity for sale of—Retrenchment Committee—Work of Session—Sir Philip Wodehouse and Responsible Government.

MEANWHILE we have been somewhat anticipating matters. Mr. Molteno had obtained leave of absence for the session of 1861. He visited Europe, spending some time with his relatives in Scotland. The best known member of the circle in which he moved was the author of 'Rab and his Friends,' Dr. John Brown, with whom he formed a valued and interesting acquaintanceship. All through his life his visits to Europe had a stimulating effect upon him; he followed European politics very closely, and took an informed interest in all public questions, keeping himself well abreast of the subjects of the day, and ever seeking to apply his experiences in their bearing to Cape affairs.

His observations on matters of public utility made during his travels on the European continent were of service to him subsequently, when he was in a position to put them in practice. The rest and change were of great value after his assiduous work, and served to prepare him for the still more arduous



duties which awaited him on his return, coinciding as it did with the arrival of Sir Philip Wodehouse and the commencement of the great constitutional struggle which was to last nearly ten years.

A general election took place in 1863. Mr. Molteno was returned unopposed for Beaufort. The Governor had proposed, in the session of 1862, that Parliament should be held alternately in the east and west. This had been negatived, but he nevertheless announced in his prorogation speech that he was going to hold the first session of this new Parliament at Grahamstown, and he forthwith proceeded to the east and took up his residence there.

He was naturally received with acclamations of delight by the public of Port Elizabeth and Grahamstown. The hopes of the eastern province were raised to their highest pitch, and the west was now at a serious disadvantage. It had to depend for its parliamentary reports upon the eastern press, which was, without exception, violently hostile to the western members. The 'Great Eastern' was to be the leading paper—it had been founded by the extreme eastern party, who had enlisted the bitter pen of the former editor of the 'Argus,' Mr. R. W. Murray. The avowed objects of this paper were to report the Grahamstown Parliament, and to render effectual the separation of the east from the west. We are indebted to it for a sketch by 'Limner' of Mr. Molteno as he appeared in this Parliament; clever as the one given on a previous page, but now imbued with a bitter feeling which the writer had since exhibited in his attacks upon Mr. Molteno's political work:—

I select this gentleman first, of the elected members, because he is put forward as the leader of the party with whom he is associated, and because it appears to be taken for granted that if a change of government took place, he would occupy the first place in the Treasury benches. When persons think of party government in active operation, they picture to themselves a government in which Mr. Rawson is superseded by the Hon. Mr. Molteno.

Talk as they may about 'the principle of the thing,' this is practically what it would have to come to if party government had been carried when the Colonial Secretary and Attorney-General first succumbed to that party, who selected the member for Beaufort West to lead the debate, and to introduce the party government motion. The man who was selected as the leader on that eventful evening would have been Premier had the party who made him their leader got into office. . . . It must be conceded that, as men of political mark go, Mr. Molteno is one. He is looked up to by a good number of the elected members as their chief, and is consulted by the Attorney-General and Colonial Secretary on almost every question that is before the House. He is by no means a member without a tail. He is a feature—and a very prominent one—of the House of Assembly. When visitors go there to listen and to admire, they ask—when they have found out which is the Attorney-General, the Colonial Secretary, and the Treasurer-General—which is Mr. Molteno; and when they are told that the gentleman with the bald head and the heavy beard, near the Clerk's table, is the man they inquire after, they take his measure from top to toe, and regard him as one of the lights—the political lights—of the constitutional government age, one who must inevitably be a law-giver and administrator. They do not reason about that; have not the remotest notion how it came to be so; but take things as they find them spoken at the corners of the streets. They have heard of him taking down the Colonial Secretary a peg or two; hauling and pulling at, and razing—or attempting to raze—the convict establishment; and they suppose that when he has succeeded in bringing the Present down by the run, he will rise from its ashes, and be our great successful political Future. . . . In the Parliament as at present constituted, he is a useful member; and I, for one, should be as sorry to see him out of it as I should be sorry to see him at the head of affairs. He is marvellously patient and painstaking. He never leaves his seat from the moment the session opens till it closes, and he loses no opportunity in the House or in Select Committee to serve his party. He seldom speaks without saying something or hinting something about responsible government.

Thus the western members had to carry on the work amid a hostile public, a hostile and virulent press, and a cynical Governor; and it fell to Mr. Molteno's lot to lead the party almost single-handed. Mr. Brand did not appear again in this Parliament, having been elected

President of the Orange Free State; and Mr. F. S. Watermeyer was not returned, to the great loss of the Parliament and the country. He was one of the most brilliant and ornate speakers the House had seen, and gave promise of being a statesman who would take high rank were a responsible government once introduced. Mr. Fairbairn, the father of the freedom of the press and of representative institutions, had retired to a considerable extent from active participation in the work and debates in the House, while Mr. Solomon was in Europe, and only returned towards the end of the session. The brunt of the struggle, therefore, fell upon the shoulders of Mr. Molteno. He had to face the 'easterns' in their own stronghold. Full of power and vigour, he was equal to the occasion. He was now the acknowledged leader of the House.

The Governor, with a view to conciliating the east, had in his opening speech announced measures for establishing a Supreme Court and a separate Land Registry at Grahamstown, together with a quartering of troops there. He soon discovered, however, that his action in summoning the Parliament in the east would by no means give him the complacent support of the eastern members. They opposed all Government measures, with the exception of those in their favour, while the west suppressed their feelings of annoyance, and did their duty, for which they received the acknowledgment and thanks of the Attorney-General on behalf of the Government.

When the first measure for the establishment of a Deeds Registry at Grahamstown came on for discussion, it was evident that there was not the slightest hope of its being carried; it only served to bring out the local jealousies of the eastern members. The Attorney-General, in announcing its decease, said 'it had had the misfortune to meet with not a single supporter. Not even a tear was dropped over its grave by the member for Grahamstown.'

The opposition to the second measure, that of creating a Supreme Court at Grahamstown, was led by Mr. Molteno, who moved that it was detrimental to the general interests of the Colony, though he was willing to see the judicial establishment increased. In supporting his motion, he submitted that these measures were Separation piecemeal; that so long as the two parts of the Colony were connected, there ought to be but one system of laws for the entire Colony. He pointed out that before the institution of the Supreme Court in 1827 the question of two separate Supreme Courts was considered, and it was found to be undesirable; while he cited Hallam<sup>1</sup> on the value of the single Supreme Court of Judicature in England as giving rise to one uniform system of law, in contradistinction to France, where the multiplicity of local courts was the origin of a host of local customs. And he further quoted Lord Brougham's speeches in 1830, when he had testified to 'the great and manifest advantages which result from the principle which makes the capital the seat of Justice.' Every advantage which could be derived from the Bill would be obtained, he urged, by the appointment of an additional judge or judges to the existing Court. Mr. Molteno's motion was carried.

The Governor then sent down a Bill to effect his objects. The east was becoming furious; their cherished measures had been lost, and feeling ran very high, when Mr. Harries moved that the seat of Government should be moved to some central position. This was met by Mr. Solomon with a motion that the best interests of the country required that Cape Town should continue to be the seat of Government. An attempt was made to declare that the next session of Parliament should be held in the Eastern Province, but was defeated in the Assembly.

Politicians who had for years watched the growth of parliamentary institutions at the Cape, and were anxious to

<sup>1</sup> *Middle Ages*, ii. 463.

witness their further advancement, condemned the Government's policy of calling Parliament in Grahamstown, on the grounds of the results which it would render inevitable. They saw that if the step were taken, its immediate effect must be to intensify that feeling of opposition between east and west which had so long existed, and that it would ultimately occasion a fundamental alteration in the relations of the provinces to each other. They predicted the want of success which would attend the carrying out of the Governor's policy, and regarded with apprehension the possible changes, indicated by him as contingent upon such failure. That those predictions were correct, the proceedings of the present Parliament had proved most conclusively. It had been chiefly remarkable for the antagonism which prevailed between the members of the different portions of the Colony. The Governor claimed that his experiment had been successful, but he took care never to repeat it.<sup>1</sup>

On the return of the western members to Cape Town a public banquet was given to welcome them. Mr. Molteno was specially thanked for the good fight which he had made before the full strength of the western members had arrived at Grahamstown.

In the ensuing session the difficulties between east and west reached their climax ; legislation was paralysed by the

<sup>1</sup> It is a remarkable fact that the Attorney-General himself did not hesitate to express his condemnation of the policy of assembling the Parliament at Grahamstown. He spoke with remarkable freedom on the question of the Governor. He said : ' How is it that the Governor has forfeited your confidence ? Can it be that the Governor has forfeited the confidence of the western members by taking Parliament up to Grahamstown, and has forfeited the confidence of the eastern members by not keeping it there ? It is possible that there may be something in that. Had I been consulted when it was proposed by the Governor to hold the next session of Parliament at Grahamstown, my humble advice would have been against it. (Cheers.) But I was not in the Colony. When I became aware of the change, I thought it a dangerous experiment, and therefore certainly not a desirable one. After the session at Grahamstown, there was a feeling in my mind that landmarks had been removed, that a precedent had been set, and that it was impossible to say when that precedent might be followed.'

struggle; the session of Parliament was the longest on record; obstruction of every kind was resorted to, and the most violent feelings were exhibited.

Upon Sir Philip Wodehouse's appointment to the Cape he had been informed by Mr. Cardwell that the recommendation of the Committee on Colonial Expenditure, suggesting that the colonies should be called upon to be responsible for and contribute to the cost of their defence, was to be carried into effect at the Cape as soon as circumstances would admit of it. Kaffraria was a buffer state between the Cape and the Kaffirs. Being a Crown dependency its defence was a liability of the Imperial Government, and as a first step this must be got rid of—annexation to the Cape became a necessity. The Cape, however, was reluctant to take any further responsibility.

The inhabitants of Kaffraria were against annexation to the Cape, and there was a still stronger motive at work. Relations between east and west were those of extreme tension. The forces were very evenly balanced, and any accession of strength to either party, however small, would settle the preponderance of that party. It was to be expected that the new province would in sympathy be eastern, and at best its effect on local politics was an unknown quantity. In addition to this, beyond Kaffraria, the territory between the Kei and the Bashee, which Sir Philip Wodehouse had tried to settle with European immigrants, was in a most unsatisfactory condition. Mr. Cardwell, upon learning that Kreli objected to the settlement, though he was subsequently pacified by the grant of a portion of the land, had vetoed any action in the matter. British Kaffraria was interposed between the Transkei, held by colonial troops, and the Colony proper. Its revenue was insufficient for the support of a separate establishment. The grant made on its behalf by the Imperial Government during Sir George Grey's Governorship had been greatly reduced and now ceased.

The manner in which the Governor dealt with these matters demonstrated the necessity that had arisen for the Cape Colony to possess the management of its own affairs. A snatch vote at the end of the preceding session had been passed in favour of annexing British Kaffraria. The Bill had not even reached the Assembly, and nothing more had been done beyond a reference to it in the Governor's speech. It was not supposed for a moment that the resolution, passed by what must be described as a trick, would be made the basis of serious action. Yet without further discussion or warning, the Colony suddenly learned that the Governor had secured the passage of an Act<sup>1</sup> in the Imperial Parliament for the compulsory annexation of British Kaffraria to the Cape Colony, whether the colonists desired it or not.

Sir Philip Wodehouse, instead of trying to work with the colonists, had kept them in the dark for two years, and then carried his scheme through the British Parliament instead of through the ordinary constitutional channels. The Act not only provided for the annexation of the province, but fixed the number of its representatives in the Colonial Parliament, and also the expenses of the Civil establishment. The Cape, which had been left quite unaware of the intention of the Governor or the Secretary of State, regarded their action as a violation of its constitutional rights.

The great question of the day thus became the annexation of Kaffraria, and the manner in which it was to be carried out. Was the Governor to be allowed to over-ride the representative institutions of the Colony and render them of no effect? He met Parliament in a speech of portentous length, in which he entered into the question and excused himself for his action by stating that, as a census was about to be taken in the Cape Colony, he felt that if a redistribution of the representation took place, it would be hopeless to expect it to

<sup>1</sup> 28 Vict. cap. 5; the Colonial Act is Act No. 8 of 1865.

be altered when at some subsequent period Kaffraria might be admitted. He therefore had approached the Home Government to pass the Act in the Imperial Parliament. He published at the same time a Blue-book which dealt with the despatches which had passed between him and the Colonial Secretary on the subject of the annexation.

No one can rise from a perusal of this Blue-book without feeling that Sir Philip Wodehouse was utterly unfitted to rule by means of a Constitutional Government, and that he altogether missed his way when he set foot on South African shores. He would have made an admirable soldier, but his qualifications were not those of a statesman. He was most deferential to his superiors, while, with those under his command he took the shortest method of ensuring prompt obedience without the slightest regard for their chartered rights. He no doubt thought that the attempt to transplant the British Constitution to the colonies was a silly hobby of Liberal statesmen, and must be rendered as little harmful as possible by wholesome stretches of the Imperial prerogative. The despatches make clear his unfitness to guide and work representative institutions still in their infancy, and his impatience with parliamentary government.

In confirmation of this we may refer to the despatch in which the proceedings of the Cape Parliament were overhauled with a bitterness which exceeds even Sir Philip's usual style:—'In the Cape Colony,' he says, 'parliamentary institutions have been established which, however beneficial they may have been in other respects, have certainly tended in the highest degree to increase the difficulty of treating native questions, and to reduce the power and influence of the Executive Government.' In the next paragraph the Duke of Newcastle is informed 'that from the time of the establishment of Parliament financial matters have been dealt with improvidently. Commencing free from debt, they have gradually



increased their expenditure without providing remedies to meet it, and have been content to raise loans in foreign markets with little regard to future consequences.'<sup>1</sup> The crowning offence is, 'that the Cape Colony, by the concession of parliamentary government, has been placed in a position to treat any proposals of her Majesty's Government almost as it pleases.'

When Sir Philip placed his proposals for annexation before the Home Government, he relied upon the resolution of the Council passed in the previous session, but even Mr. Cardwell hesitated, and pointed out that 'her Majesty's Ministers require further information before they can adopt your recommendation, which has not even been concurred in by the Assembly of the Cape Colony, and appears to be opposed by many of the inhabitants of British Kaffraria.'

The perusal of the Governor's despatches prepared the Parliament for dealing with the question, and it was felt that a determined stand must be taken up. On the assembling of that body, and after the various Committees of the House had been appointed, Mr. Molteno moved on May 1st :—'That the House do adjourn to the following Monday for one week,' urging that the subject which of all others deserved the attention of the whole Colony and the House, was the

<sup>1</sup> Mr. Molteno had pointed out in the session of 1868 how untrue was this charge. He said that the Colonial Secretary had never left the House in any session without expressing his opinion that satisfactory provision had been made for the services of each year, and it was only the bad administration of the Government which had led to the deficiencies. The estimates also were generally carelessly prepared and insufficiently supported with exact information, thus leading to the expenditure exceeding the estimates.

<sup>2</sup> Almost every portion of the press now condemned Sir Philip. The *Eastern Province Herald* said that his native policy was one of concession, as in Krell's case; compared it in its fatal effects with that of Lord Glenelg's, and generally condemned him as not only deficient in tact, but in common sense, of which tact is the outward sign. The *Grahamstown Journal* writes in a similar strain :—'The great ambition of the Governor of the Cape seems to be to serve the Imperial Government by sacrificing everything to the modern notion of curtailing military expenditure in the colonies. To do this, Sir Philip removes tribes with the imperiousness of the Czar, annexes provinces, obliterates boundary lines, and abandons territory.'

annexation of British Kaffraria, and that they would do well not to proceed to any other important business until this matter was fully in their possession. Mr. Solomon concurred with the member for Beaufort, and the motion was carried. The Governor had stated that he could not send down any Bill in connection with the annexation of British Kaffraria, until he had actually received the Bill as passed by the House of Lords. On the 5th of May the *Asia* arrived, bringing the news of the final passage of the Kaffrarian Annexation Bill through that Chamber.<sup>1</sup>

When the House met again after the adjournment, the Colonial Secretary said that 'as to the remarks of Mr. Molteno and Mr. Solomon, that no business should be carried on until the annexation question was dealt with, it was the intention of the Governor to introduce two Bills, one for the annexation of Kaffraria, and one to increase the parliamentary representation of the whole Colony; the first would give to the east four members for the new section, and by the latter four more members were to be given to the east, while eight were to be given to the west, and three members of Council were to be allotted to the east, and three to the west. As, however, the Bill had not arrived from England, the Governor was not ready to send it to the House.' He intimated, however, that the Government were quite prepared to go on with the estimates in the meantime.

Mr. Molteno thereupon moved 'that the House do adjourn

<sup>1</sup> To show the manner in which legislation in the Colony was then dealt with, and the ignorance and carelessness on colonial subjects which prevailed in the Imperial Parliament, we may quote from the speech of the Duke of Argyll, who moved the second reading of the Bill. He said that 'It had been the wish of the Government of the Cape Colony to extend its laws to Kaffraria, and that last year a resolution was passed by the Legislative Assembly approving the proposed annexation. The present Bill, therefore, enabled the Cape Colony to annex to itself, should it deem fit to do so, the territory in question; and if they took that course the Bill would be inoperative, with the exception of the first clause; but should the Government of the Cape delay in arranging the annexation, then the Bill gave power to the Governor of the Colony to take that step.' In addition to this, he described the territory in question as 'a piece of waste neutral ground.'

to Friday, on its rising that day. The mail was expected daily, and then the Governor could send down the Bill. He (Mr. Molteno) still adhered to the opinion that the House ought not to go on with any important business until the other matter was settled, and that they ought certainly not to touch the estimates.' The House met again on Friday, but as the Annexation and Representation Bills had only been sent down that morning, it adjourned until the succeeding Tuesday. On the meeting of the House on Tuesday, Mr. Solomon moved that the Annexation and Representation Bills be referred to a select committee for the purpose of amalgamating the two. For if the one were carried, the west would wish the other carried also. The east decided first to pass the Annexation Bill, and thus get four more members, and then refuse to pass the Representation Bill. Mr. Solomon's motion was eventually carried, after rejection of amendments by Mr. Rutherford and Mr. Ayliff, by twenty to eleven.

Mr. Solomon now moved a series of resolutions of portentous length, protesting against the arbitrary action of the Imperial Parliament in altering the constitution of the Cape, while the latter was in possession of a local Parliament; and in express terms censuring Sir Philip Wodehouse, and affirming that he had lost the confidence of the House and of the country, which is so essential to the proper conduct of affairs in a Colony in which representative institutions had been established. They constituted a formidable censure upon the Governor's action, and a reasonable and necessary protest against the unconstitutional action of the Imperial Government. They were seconded by Mr. Molteno and introduced by Mr. Solomon in an able and eloquent speech. His peroration is worthy of consideration :—

I admit the change is necessary; but, I say, let it be submitted to us as men. I am sure the Colony is proud to be connected with Great Britain (cheers); to live under the flag of England,

which speaks of material wealth and commercial enterprise, and a power of arms which have been the admiration of the world. But it speaks also of better and higher things. It speaks of a system of laws and principles which have been the growth of ages, and which are the glory of England's people. These laws and principles we ought not to surrender, if we possess the power of defending them. These laws and principles are the heritage of England's children, and of her children's children. Such constitutional resistance as we are now offering will not be looked upon by the people or the Parliament of England as a proof of disloyalty, but as a proof of our loyalty, and that we will not allow their rights to be invaded in our persons, nor their principles to be trampled upon in the Colony of the Cape of Good Hope.

The resolutions were carried unanimously; but the Governor, independent of all votes of Parliament, was not affected in any way, and the House proceeded to discuss the Annexation and Representation Bills. The public excitement was very great; the galleries were crowded with strangers. After a course of violent obstruction, extending over a period from April till August, the eastern members eventually gave in; the Annexation and Representation Bills were amalgamated, and passed together, and the House went on to the consideration of less exciting matters; to some of which it is desirable to draw attention, in order to form an idea of the careless and inefficient manner in which parliamentary business was carried on by the nominee Executive, and to understand the depth of feeling produced thereby in favour of responsible government.

A number of Bills were introduced without any explanation of their clauses, or any assistance from the Executive as to the reasons for their introduction, or the alterations that were contemplated by them—a characteristic of the slipshod manner in which legislation affecting the vital interests of the Colony was dealt with by an irresponsible Ministry. An eye-witness, who for the first time had the pleasure of observing these performances, said that 'he could only wonder how the business of the House is got through

at all. Everyone was, of course, at sea, not knowing what new clauses were introduced, or the general drift of the Bills. The Land Beacons Bill consisted of 115 clauses; the alterations were not indicated in the Act, and no explanation was vouchsafed to the House, by which the alterations could be understood. The Attorney-General was absent: he had charge of the Bill, and no other officer of the Government could give any account of it. The next Bill, the Divisional Councils Bill, shared the same fate. Mr. Southey contented himself with moving the second reading without comment.

'An Education Bill was next submitted, but, beyond the fact that it had something to do with the instruction of the young, the House was in profound darkness as to its provisions. Mr. Southey looked through his glasses at a paper, and moved the second reading with the announcement that "it was the same as last year." It appeared that a committee had been appointed to make certain alterations in it last year; but these alterations did not appear in the Bill, and no explanation was forthcoming as to their absence.'

Could this be considered a satisfactory method of conducting the business of the country, or conduce to the proper consideration of the important measures it was proposed to deal with? Could it be wondered at that men who were eager to see their country advance on the lines of progress and civilisation were not content with this mode of procedure? It was neither respectful to Parliament, nor edifying to the public of the country. The ultimate necessity of responsible government became clearer to the minds of all thinking men by a spectacle of this kind. The House very properly deferred the discussion on these Bills; and a Railway Bill, which was next introduced, was also referred to a select committee.

Until the Annexation and Representation Bills had been passed, Mr. Molteno, supported by Mr. Solomon, refused to

deal with the estimates which were constantly brought forward by the Government. Many lengthy debates ensued on this subject, but the motions that they should be deferred were always carried; it was feared that were the estimates once voted, Sir Philip Wodehouse would prorogue Parliament and promulgate the Imperial Act. That his critics were not wrong in this estimate of the Governor appeared from his subsequent conduct in proroguing Parliament during the retrenchment debate.

Mr. Molteno and Mr. Solomon having worked together on the question of Kaffraria, now separated in regard to the subsequent business of the House, though in their points of difference Mr. Molteno invariably carried the majority of the members with him. The latter refused to vote any further moneys for railways under the existing form of government, adhering to his old principle that the Government was not fitted to be entrusted with the expenditure of large sums of public money. Yet he was a strong advocate of railway construction so soon as the Colony should be able to ensure that it obtained value for its money by controlling the expenditure. During the debate the conduct of the Governor in pushing on works on the railway between Wellington and Tulbagh was criticised by Mr. Molteno:—

He said that he found that faith had not been kept with the House, for it was understood that the works were to be practically suspended, and yet he had himself just seen the extensive operations which were going on. He would ask whether this was conduct calculated to secure the confidence of the House. Were hon. members regarded as a lot of children? Had he not desired to relieve the Government from a difficulty he should not, when the resolution was originally proposed, have moved the adjournment of the debate, for he was convinced that it would have been carried. But when the other day he saw the manner in which the works had been pushed on, he could not help saying the Government was treating Parliament unfairly. The way in which the Governor had carried out his own views involved a direct breach of understanding with the House, and made the position of the hon. members exceedingly unsatisfactory; but, however sugar-

mouthed the hon. member for Cape Town (Mr. Solomon) should now be to gloss over the remissness of the Government, that should not prevent hon. members taking whatever course they considered necessary for the interests of the country and the vindication of the votes of its Parliament.

Before sitting down he called on the Attorney-General to say if the Government were authorised under the Acts of 1862 to proceed as, in fact, they had done. The Attorney-General somewhat reluctantly rose, and said that, having been out of the country when the Acts were passed, he could not say what Parliament intended, but reading them as they stood in the statute book he thought that Government had not been authorised by them to proceed in any other way than by calling for tenders. The motion, as amended by Mr. Molteno, was then carried without a division.

The discontent with the Government was increased by the general condition of the Colony; commercial disasters in Port Elizabeth continued; farmers in the eastern province began to talk of trekking to the Free State, alleging that the increasing burden of taxation was more than they could bear. The farmers in the Somerset district alleged that the increasing rate of taxation was growing intolerable. The state of the country at this time was indeed very gloomy; one thousand men were said to be out of work at Port Elizabeth, the commercial crisis was beginning to be felt in other towns, and more unemployed would be driven to the seaport towns. Petitions to the Governor to find work were sent in from various places.<sup>1</sup> Emigration was taking place

<sup>1</sup> The *Argus* thus summed up the position of the country:—'1865 will ever be a memorable year in the annals of the Colony, from the political and social events which it has witnessed. It began with commercial disasters; it ends without those disasters having ceased. It began with a bitter feeling of political enmity between the colonists and the Government; it ends with the breach still unhealed, and distrust on both sides greater than ever. It began with the drought and failing crops, and falling prices of colonial produce in the home market. The drought is worse than ever, the crops scanty, the small rise in the price of wool too small to be of any avail. The year has been one of disasters. For the hostility of Parliament and people to the Government we must hold Sir Philip Wodehouse primarily responsible. He has been uncon-

to New Zealand and to America—large numbers of people had left, and emigration to the Free State was also in contemplation. The population of the Cape, as shown by the census, had decreased by several thousands. Such was the state of stagnation and want of development in the Cape Colony under this system of Government.

Mr. Molteno by no means lost heart. When the condition of the country was depicted in Parliament in very dark colours, he insisted that it was by no means in such a desperate case, and merely needed proper care and management to be as prosperous as ever. But the position undoubtedly helped forward the question of responsible government. It was seen that no reasonable hope existed of the country being developed under the present system. Officials who cared little so long as they were not troubled were not the men to develop a young and eager community. It was only by putting the power into the hands of those whose interests lay in the direction of developing the country with which they had thrown in their lot, that anything could really be done in this direction.

The question of responsible government came more and more to the front. Everybody was convinced that some remedy must be applied to meet the disorganised state of public affairs, and particularly of the finances. 'Responsible or anti-responsible' was the cry at the elections, and a larger number of responsible candidates were elected. The question was also dealt with in the press owing to despatches which were now received from the Imperial Government, stating that the Imperial troops must either be paid for or withdrawn.<sup>1</sup> It was admitted on all hands

stitutional and obstinate in his line of action in many cases, and he has met with the only vote of censure ever passed on a Governor by the Cape Parliament. Difference of views between east and west have helped to intensify the trouble—drought, depression of trade, pauperism, want, a diminishing revenue, impoverished exchequer, and a miserable harvest.'

<sup>1</sup> 40*l.* per annum per man for the line regiments and 70*l.* for the artillery were demanded by Lord Carnarvon.



that the Cape Colony could not afford to pay for them. Thus the Conservative party, who had always paraded the bugbear of the removal of the troops, lost a powerful argument against responsible government.

The next session of Parliament opened on the 6th September, 1866, much later in the year than usual, owing to the elections in the new constituencies of British Kaffraria and the lately enfranchised districts of the Cape Colony being only just concluded. The House had received a considerable accession in its numbers, sixteen new members taking their seats. The financial position announced in the opening speech showed the usual serious deficiency between revenue and expenditure. Government proposals were made for an increase in Customs duties, an export duty on wool, and a paper currency. The Governor concluded by urging an honest, earnest, and conciliatory spirit, and promised to co-operate with Parliament to the best of his ability, asking its members to suppress all minor difficulties and apply themselves to the interests of the country. The spirit in which this was said was so new and so unexpected from Sir Philip Wodehouse, that at the conclusion of his speech the audience so far forgot itself as to give expression to its feelings by a hearty burst of applause.

A recent change in the *personnel* of the Executive was destined to exercise an unfavourable influence upon the prospects of cordial co-operation between the members of Parliament and the Executive. Hitherto the personal relations subsisting between them had been of a most amicable character—a condition that was guaranteed by the presence among the latter of such men as Mr. Rawson, the Colonial Secretary, and Mr. Porter, the Attorney-General. These gentlemen had now been replaced by men of opposite views. Mr. Southey had become the Colonial Secretary, while an Attorney-General had been imported from England to replace Mr. Porter, whose public spirit and generous and

considerate character had smoothed many of the difficulties and many of the collisions between the Governor and the Parliament. His successor, Mr. William Downes Griffith, was a pugnacious Irishman, who had had no previous knowledge of the country or of its institutions, and was profoundly unfitted to hold a political position in the country.<sup>1</sup> Under such an influence the difficulties which beset the working of incomplete representative institutions were immediately accentuated, and threatened to bring relations between the Parliament and the Executive to a deadlock.

Mr. Molteno had drawn attention to the enormous increase in the number of convicts, owing to the provisions of an Act by which judges were compelled to sentence sheep and cattle stealers to a minimum of three years' imprisonment. One-tenth of the whole revenue of the country was now spent in supporting the large army of criminals. Mr. Molteno moved a resolution giving power to the judges to modify these sentences. In a maiden speech Mr. Griffith violently attacked him, and suggested that the Government would not carry out any resolution of the Parliament which was not in accord with their views.

Mr. Molteno replied, expressing his surprise at the manner in which the Attorney-General had taken up the matter the hostile tone he had adopted, so different from the and Governor's opening speech, which had stated that he would be most happy to consider any suggestion which might come from the House. He did not see how the passing of such a resolution could be in any way offensive to the Government. As to the introduction of a Bill, as suggested by the Attorney-General, he thought it was the duty of the House to communicate its views to the Government, and

<sup>1</sup> One of the complaints of the American colonies which led up to the war was the appointment of officials who had never even seen America. See Lecky's *England in the Eighteenth Century*, vol. iv. p. 112, n.

for the Government, who were the Executive of the Colony, if they were to be guided by the House, to pay respect to its recommendations; if not, the Governor had better dismiss the Parliament at once. If the moment a member made an attempt to make a suggestion in the best possible spirit to remedy a glaring evil, he were to be met in a hostile spirit by the Government, the sooner Parliament was prorogued the better. He feared the spirit in which he had been met was not likely to conduce to the comfortable progress of public business.

The action of the Attorney-General was promptly condemned by member after member, who rose and expressed their indignation at his attitude. That functionary, however, was undaunted, and his reply is worthy of quotation, as showing how the system of appointments through political patronage at home may work in the selection of officials for posts in a Crown colony:—

Sir, the hon. member for Beaufort argues in this way: The prisons are crowded, therefore let the prisoners loose; the cheaper course would be never to bring them to trial. . . . It would be a most economical proceeding to abolish the criminal law altogether and try nobody, and leave all your thieves at liberty, as the hon. member for Beaufort wishes to do. . . . The hon. member may speak of his own constituents, the majority of whom, he admits, are in gaol.

This was the manner in which the Attorney-General, attacking representative and constituency alike, chose to insult a leader of the House who had devoted twelve years of unwearying care to the public interests. No community with any self-reliance or independence of feeling could endure this state of things. The 'Argus' justly said:—

It was untrue and offensive for the Attorney-General to tell the member for Beaufort that he wanted to destroy the Governor's prerogative of pardon and assume it himself. The Attorney-General is evidently quite unused to address a deliberative assembly; he speaks as if he held a brief against the member

whom he is at the moment opposing. We are sorry to see this feeling—that the Parliament is the natural enemy of the Executive—creeping into the debate. The Executive are not alone to blame. The officials, however, are widening the breach to the utmost by saying of the member for Beaufort nasty and unjust things.

The narrow spirit in which the Government was being administered was further shown by its action in regard to the disposition of the Crown lands of the Colony. Mr. Moltano drew attention to the injury which was being done to the country by such a system of administration. He showed that the Crown lands were being retained for some supposed good time when they would be of enormous value, but he pointed out that while the Free State and Transvaal were offering farms to anybody who would go and take them, it was not likely that the price of land in the Colony could be high, and the effect of this policy was to denude the Colony of its population.

Every year hundreds of people who had been crying out for land in the Colony and could not get it, were going away. It was with the greatest possible difficulty that the Divisional Council of Victoria West had obtained the sanction of the Government to a survey and sale of 105 farms in that division, although there were applications for all of them! The Government said that nothing could be got for them; nevertheless, 20,000*l.* to 30,000*l.* was realised by the sale of these farms, which, in addition, paid the annual quit rents.<sup>1</sup> Then he turned to the Act for leasing Crown lands, which had been administered by people who did not understand, because they would not understand, the country, but who, if they continued to go on as they were doing, would drive away the population. If they would

<sup>1</sup> It may be added that this led to the settlement of one of the most important districts in the Colony, which now sends down thousands of bales of wool to Port Elizabeth, a district which, when Mr. Moltano first went there, was hardly inhabited at all.

fix the population in the central districts they would double and treble the exports of wool in the course of a few years. But it was of no use to say these things, for when people who understood the matter ventured to do so they were charged with opposing the Government. It was no use calling Parliament together, and getting people who understood the country to speak of things within their own knowledge, unless their representations produced some effect. If the present line of policy were continued the country would be ruined.

Almost the whole of the session was devoted to a fruitless effort to bring about a retrenchment of the colonial expenditure. There were two sets of opinions in the House. The responsible government party submitted that measures of such importance could only be useful if initiated by the Government, while another set of politicians, opposed to the advent of responsible government, sought to prove that Parliament even as at present constituted could initiate and carry through great changes and effectively control the Government. The Government, seeing the temper of the House, offered to bring in a measure of their own—an offer which was decisively rejected.

A retrenchment committee was appointed on the suggestion of the party who thought the present system of government might be worked, and the House, as apart from the Executive, resolved to see what it could effect by itself. The Government did not, of course, take kindly to the committee or its labours. The so-called Conservative party were eager and anxious to show how much Parliament could effect without a responsible government. They asserted that the Executive officers were the servants of Parliament, and should ever swiftly and willingly obey its commands.

The Government, however, resented the idea of being the mere tools of Parliament. And the Constitutional party, who believed that the Government, whether irresponsible or

responsible, should be the sole initiators of all public policy, nevertheless in their anxiety to have retrenchment from whatever source it might come, supported the retrenchment committee. The final result was that the Government was left to decide how far they would be able to embody the committee's suggestions in the estimates; but upon the estimates coming forward the alterations were found to be very different from the retrenchment committee's proposals.

The Government had made retrenchment distasteful and impossible by cutting off the *necessary* establishments first, and the House refused, on the motion of Mr. Molteno, to go into the Government scheme owing to the late period of the session, but passed the estimates of the first six months only of the succeeding year, with a few reductions which had been previously resolved upon. The House was prorogued early in January of the next year, 1867.

The proceedings had been most unsatisfactory. Mr. Molteno had, as usual, taken a prominent part. Though not of the party who had appointed the retrenchment committee, he honestly aided them. By suitable amendments he frequently saved them from defeat, and more than once delivered the House from the hopeless confusion of aimless debate by expressing its wishes in a few well-chosen words. He had, with his sound commercial instinct, vigorously opposed the Paper Currency Bill, which appeared to be the special *protégé* of the new Attorney-General, and succeeded in defeating it.

It was felt that responsible government was at hand, and the proceedings of the Attorney-General and other officials had convinced several of the hereditary opponents of responsible government that their traditional opposition could no longer be maintained without great cost. It was becoming clear to the country that very little could be hoped for from the present system of government.

An honest attempt had been made by the Parliament of the country to get the Government to retrench, but so far from succeeding they had met with obstacles in every direction, and had eventually been unable to effect any saving whatever. Mr. Molteno had pointed out the impossibility of forcing the Government to retrench by action of the Parliament, and he therefore maintained that Parliament could not assume the responsibility of the Executive, and it was upon his motion that the estimates were voted for six months only. It was felt that the position was serious. The finances year after year had showed large deficiencies, notwithstanding the liberal manner in which the Parliament had met the demands for fresh taxation put forward from time to time.

The Governor's speech proroguing Parliament gave great offence. It was resented by the whole of the press and the public of South Africa. He said he would call Parliament together again in a few months, when the occurrences of the present Parliament would be less vivid, and members would be able to give their attention to the business of the session without being disturbed by the remembrance of the contests of the past session. Upon opening Parliament in the succeeding session he apologised for this curt speech.

## CHAPTER VII

## DEFENCE OF THE CONSTITUTION. 1867-69

Sir P. Wodehouse—Views of Colonial Government—Dissatisfaction general—Reactionary Proposals—Hostile Reception—Mr. Molteno moves for Responsible Government—Work of Session—Session of 1868—Session of 1869—Collision between Governor and Parliament—New Reactionary Proposals—These negatived—Mr. Molteno's reply—His proposition carried by overwhelming majorities—Great Struggle—Letter to his Constituents—Allowance to Imperial Troops—Mr. Molteno's Retrenchment Resolutions carried—Public Excitement—Governor's Counter-Proposals—Direct Conflict—Governor refuses Resolutions of Parliament—Cuts short Proceedings by Prorogation—Basuto War—Mr. Molteno's Motion on it—Native attacks on Northern Border—Mr. Molteno defends Farmers—Governor dissolves Parliament—Mr. Molteno's action approved—General Election—Opposed at Beaufort—Re-elected—Governor's fourth Constitution.

FROM what has gone before it is abundantly clear that Sir Philip Wodehouse was altogether out of sympathy with representative institutions in general, and with responsible government in particular. He regarded the latter as unsuited for any dependency, and as especially likely to work great mischief in the Cape Colony. He believed the colonists were not to be trusted to take care of their own interests. The second or debased period of colonial policy was personified in him.

The mother-country was to fight for and pay for the defence of the colonies, and in return was to be absolute ruler of their destinies through its governors. He was a high-minded man whose conduct and actions were dictated by pure and generous motives, but he shared with Earl Grey the fundamental error of believing that on the English Cabinet as represented by himself had devolved the task of exercising a paternal control over the people; thus depriving the latter of the function of self-administration and placing



them under a system very fatal in its effects upon the vigour and self-reliance of those to whom it is applied, while it has the further disadvantage of causing the affairs of the Colony to be treated as ground for the materials of party struggles in England. We may quote the very pertinent remarks of Sir George Grey to the Duke of Newcastle, who had stated that he feared the former's ideas were not quite in accord with his own :—

During the five years that had elapsed since he was appointed to the Cape, there had been at least seven Secretaries of State for the Colonial Department, each of whom had different ideas on some important points of policy connected with the country. It was impossible for him to agree in opinion with each of these, and difficult to modify proceedings which he knew were in accordance with the wishes of one so as to suit the views of each of his successors as they rapidly followed one another.

It was inevitable that, holding such views as these, Sir Philip Wodehouse should be found in constant and serious conflict with the popularly elected Parliament. No direct progress could be made under his auspices towards responsible government. The effect of his period of rule was to demonstrate indubitably the unsatisfactory character of the *régime* then in force, and to show the necessity for its immediate reform. Sir Philip very soon admitted the drawbacks of the existing system, and with a view to ameliorating the condition under which the government was carried on he proposed during his governorship no less than four different constitutions, each more despotic than the preceding.

Before he had acquired a sufficient knowledge of the country, and the objects and aspirations of the various parties contained in it, he proposed a scheme for two separate governments, one for the eastern province and one for the western province, with a supreme or central government over both ; but on communicating his views to the Duke of Newcastle, the latter replied that he could not

approve a policy which gave undue prominence to separation. Her Majesty's Government desired to see the whole Colony as well as Kaffraria welded into one harmonious whole. This scheme was abandoned, and with a view to creating greater harmony between the Governor, his advisers, and the Legislature, he informed his Executive Council that he would no longer occupy the position of sole autocrat to whose bidding they must yield, but that on all measures to be submitted to Parliament he would take and be guided by their advice.

This gave the Parliament no further control over the Executive than it previously possessed, and no improvement took place in the relations between the Parliament and the Executive. Mr. Gibbon Wakefield's views were amply justified; the system could not last, the parliamentary opposition had all the power to thwart the Executive, without the responsibility of carrying out the measures which they advocated. The system was quite foreign to our constitution, and out of accord with the genius of the English people.

It was the theory of Earl Grey put in practice, a statesman who, as Lord Blachford tells us, 'was possessed with the idea that it was practicable to give representative institutions and then to stop without giving responsible government, something like the English constitution under Elizabeth and the Stuarts. He did not understand either the vigorous independence of an Anglo-Saxon community, or the weakness of an Executive which represents a democracy, so things took their own course and left his theories behind.'<sup>1</sup>

Bad seasons and misfortunes occurred to deepen the feeling of dissatisfaction with the limited constitution. The Governor's position was not improved by the course taken by him in regard to British Kaffraria. The Cape was taken unawares by the proposal of the Governor and the Secretary

<sup>1</sup> *Letters of Lord Blachford*, p. 297.

of State, and their action was regarded as a violation of its constitutional rights. It may have seemed good policy under the circumstances to carry the annexation by the exercise of the high power of the Imperial Parliament, but the effect was to create the gravest suspicion of the motives and intentions of the Home Government; and when Lord Carnarvon came to propose his celebrated Conference, the suspicion with which his action was received was in a large measure due to the circumstances of the annexation of British Kaffraria. It was felt moreover that the Governor preferred to effect his objects by secret means and utterly regardless of the inhabitants of the Colony, instead of working in harmony with them, and carrying out his policy through the deliberate and well-tryed means of constitutional government.

Sir Philip Wodehouse next proposed his second constitution—the abolition of the existing representative institutions, and the establishment in their place of a single Legislative Chamber of twenty-one members, of whom eighteen were to be elected by six electoral circles, and three were to be Government officers. This scheme was placed before the country in the opening session of the Parliament of 1867, and the Governor at the same time proposed a reversion to alternate Parliaments to assuage the feelings between east and west. He admitted that responsible government might cause greater unanimity of action: but he insisted that local prejudices and parliamentary obstruction were very detrimental to the country and must be obviated.

The project met with a most unfavourable reception. As was said at the time, in the local press:—

This proposal might be fitted for the West Indies, or Demerara coolies, or a state of Spanish political exiles; but to propose such a thing to the Cape Parliament is an insult to the intelligence and common-sense of the country. It is ill conceived, ill advised, and impractical. If the Colony is to move at all, it will prefer taking a step forward to half a dozen backwards.

As soon as the Colonial Secretary gave notice of resolutions to the effect that there should be one chamber, that the representatives should be reduced in number, and that six electoral circles should be established, each electing three members,—a series of propositions equivalent to the abolition of the existing constitution—Mr. Molteno gave notice that he would move: That the time had come for the introduction of responsible government, and in his introductory speech clearly summed up the situation. He said:—

That though the question had much ripened since he addressed the House four years ago, he would even now have been inclined not to bring it forward, but in view of the Government proposals to abolish representative institutions, he felt it desirable to place this resolution on the paper. The matter had been very thoroughly discussed in the press and in the country, and all agreed on the desirability of the introduction of responsible government, but hesitated to apply it. The east favoured it, but wished for terms; but the subject was one of good government for the whole Colony, and no party was to specially benefit by it. The present position was intolerable, and was admitted to be so by all parties, even by the Government, witness their scheme of improving matters; responsible government was the legitimate goal of representative institutions, the Colony did not wish to go back, but would go forward to reach this goal—other colonies had responsible government and prospered very well with it. Why should this Colony form an exception? During the thirteen years that representative institutions had existed they had not made any progress, and he saw no reason for waiting. What could they wait for? Another reason which gave urgency to the question was the withdrawal of the troops announced by the Home Government. He had opposed the Retrenchment Committee last year because he considered it would be powerless to do anything, if the Government refused to really work with it. When, however, the House decided to have such a Committee he did his best to make it a good one; but it was of no avail. The House passed resolutions, and the Government ignored them, and refused to carry them out.

Mr. Solomon supported the resolution, as did Mr. Rutherford, the leader of the eastern party; while Messrs. Wood

and Ayliff said they would prefer to give retrenchment a further trial, but would vote for responsible government in the succeeding year if a more satisfactory state of things had not been then achieved. A compromise had been suggested by the east, that the representation of the east and west should first be equalised, and that thereupon responsible government should be introduced. Mr. Molteno did not see his way to consent to this, for he held that the interests of the whole Colony would be legitimately represented in any ministry which might be formed; indeed no responsible government could be carried on unless the interests of the whole Colony were regarded, and the whole country took part in the administration. The easterns now voted against the motion which, though enjoying the support of all the leading members of the House, was lost by the addition of the Conservative vote to that of the east. The Government announced at a later stage that they would withdraw the resolutions in regard to the alteration of the constitution.

In this session Mr. Molteno again drew attention, in connection with the proposal to hand over the construction of the main roads to the Divisional Councils, to the serious fact that the Government had entirely ignored the resolution of Parliament passed in the preceding session, and expressed surprise that the Government had not carried out the resolutions of the House. A committee was appointed to return the Bill to the Governor as amended by the House.

Mr. Molteno now introduced a bill for reducing the sentences on persons convicted of stealing cattle, from the minimum of three years, and for giving a larger jurisdiction to magistrates for dealing summarily with small offences. The Attorney-General again attacked Mr. Molteno, accusing him of the desire to repress crime by making punishment lighter. Mr. Solomon opposed this Bill, but the House was thoroughly with Mr. Molteno in his efforts to obtain a

workable measure and one which would not throw an undue burden on the country. The second reading was eventually carried without a division.

In dealing with the speech of the Colonial Secretary upon the budget, Mr. Molteno stated that there was as much taxation as the country could possibly bear, and further that the revenue was large enough to meet all the legitimate demands of a proper administration of the country. The cost of such administration must be brought within the revenue.

He spoke strongly against the Paper Currency Bill as a dangerous experiment without any compensating advantages. The Attorney-General immediately arose, and attacked Mr. Molteno as usual, concluding by saying that he quite agreed with the hon. member for Beaufort as to retrenchment, and, waving his hand round the House, invited the members 'to lop off the estimates by reducing the cumbrous machinery of Parliament.' For this improper statement he was immediately rebuked by Mr. Solomon, the concluding portion of whose speech will help to explain the unfortunate position of affairs existing between the Executive and the Parliament :—

The Attorney-General had suggested that they should 'lop off the cumbrous machinery of Parliament,' and that the country called for this change. The Hon. Attorney-General knew nothing of what the people wanted or the feeling of the country on this point. How could good feeling exist between the Government and the Parliament when the Executive, or some member of the Executive, lost no opportunity of sneering at the representatives of the people, and making remarks which were offensive to the Parliament and to the country? When officials came to this country with strong feelings against the Colony, and against its best institutions, these remarks caused a bitterness of feeling between the Government and the people, which made it impossible for things to go on smoothly, or for the relations between the Government and the Parliament to be at all comfortable. He would advise the Attorney-General not to listen to everything that was whispered in his ear about the Parliament and the people of this country. No people in the world,

wherever representative institutions existed, so far as he knew, gave them up or suppressed them, or suffered them to be taken from them, except by force as the consequence of a revolution, and he would be sorry to believe that the colonists of the Cape of Good Hope were willing to forego their rights as British subjects and give up their parliamentary institutions at the dictation of any man.

The principal objections, in fact, to responsible government were three in number. The first was the departure of the Imperial troops, looked upon as certain to follow upon its advent: this was now to take place in any event. The next argument was the difficulty of placing native policy in the hands of a Colonial Legislature. This was an imaginary difficulty, for subsequent experience has shown that there was no danger in so trusting the care of the natives to a Colonial Parliament. With responsible government came a new interest in the civilisation and development of the natives, the valuable effects of which were attested by Lord Carnarvon himself.<sup>1</sup>

From necessity, if not from choice, a Colonial Legislature was aware that it was impossible without a force entirely beyond their means to treat the natives unjustly. It was reserved for the Imperial representative, Sir Bartle Frere, to make his famous declaration, that no chief should be permitted to survive his pro-consulship, and no native to carry arms. The further objection which was urged, and urged strongly in the east, was that with the present majority of representation in favour of the west, the east was not likely to get fair play if responsible government were now introduced.

The conflict between east and west was maintained during this session, a resolution being proposed that the Parliament should be summoned in the eastern province, and that the seat of Government should be at some more

<sup>1</sup> As will be found later, the natives themselves sought annexation to the Cape in very large numbers after the introduction of responsible government.

central place than Cape Town. Mr. Solomon and Mr. Molteno opposed these resolutions successfully.

The condition of the country remained one of extreme depression ; the population was emigrating, a large relief fund was collected for those in distress, soup kitchens even were opened, and a large amount of charity dispensed to the unemployed. Such was the stagnation due to the political troubles brought about by an unsympathetic and unenterprising Government.

But little occurred in the succeeding session of Parliament in 1868. It was the expiring session of the Parliament—both Houses were dissolved upon its prorogation, and a general election took place in April in the succeeding year.

The sole questions before the electors were those of responsible government and equalisation of revenue and expenditure without fresh taxation. A number of new members were elected to this Parliament who subsequently became prominent in the politics of the Cape. Mr. Merriman was returned for Aliwal North, and Mr. Sprigg for East London ; Mr. Solomon failed to be re-elected for Cape Town, while Mr. Rutherford had refused to stand. To compensate for the loss of Mr. Solomon, Mr. Molteno, now more prominently than ever the leader of the House, was supported by Mr. Porter, his closest personal and political friend.

The most important announcement in the Governor's speech was connected with the state of the finances, which had now become very serious. The revenue had totalled 564,867*l.*, while the expenditure, estimated at 645,378*l.*, totalled 656,173*l.*, while for the current year the revenue was estimated at 615,000*l.* and the expenditure at 666,000*l.* To meet the current expenditure temporary loans had been raised. The deficiency was to be met by an income tax of 3*d.* in the pound. The country received the proposal for an income tax with indignation ; they considered that the course



which the Governor proposed in increasing the taxation of the country was not what they desired or what was prudent, and they called upon him to carry out the desire for retrenchment which was universal throughout the country. A monster meeting was called at Port Elizabeth, to insist on retrenchment, while others of a similar character were held throughout the Colony to protest against the proposal to place fresh taxation upon the people.

The Government now came into collision with the Parliament in a more acute form than ever. The House expressed its opinion that retrenchment on an extensive scale would bring about an equilibrium between the revenue and the expenditure, and that the Executive was bound to propose this scheme of retrenchment: resolutions to this effect were carried without a division. But the Governor in reply laid the blame for the present position upon the representative institutions of the country.

He could not 'perceive in the constituencies any just appreciation of Parliament, or the mode in which their representatives should discharge their duties.' He complained that scarcely a single candidate for parliamentary honours could be found who would venture to present himself as entertaining views favourable to the Government, and he concluded by saying that 'the Governor believes that the very first step which should be taken in the direction of contracting expenditure will be the establishment of a Legislature far more economical.'

He therefore proposed his third constitution, that for the two existing Houses there should be substituted one Legislative Chamber of fifteen persons, three of whom should be officers holding office under the Crown, and the remaining twelve should be elected for the term of five years, unless the Chamber were previously dissolved by the Governor. He calculated that such a system would effect a direct saving of about 11,000*l*. He further proposed to abolish the fiscal

divisions of Stellenbosch, Piketberg, Tulbagh, Robertson, Bredasdorp, Knysna, Prince Albert, Humansdorp, Alexander, Bathurst, Victoria East, Stockenstroom, Murraysberg, and Middleberg—and several minor economies were suggested. He refused to cut down the salaries of public servants, and he transmitted with his message a Bill for amending the constitution of the Cape of Good Hope in the manner already mentioned.

An amendment, seconded by Mr. Molteno, to the effect that the Bill be read this day six months was carried by thirty-nine to twenty-two. He now brought forward a number of resolutions of great length, which gave rise to prolonged and animated debate. The first three of them were to the following effect :—

(1) The House desires to express its disappointment at the Governor's scheme of retrenchment.

(2) 'It regrets to find that the Governor holds opinions regarding the people of the Colony and their representatives which this House believes to be erroneous ; and is further of opinion that the fact of such views being entertained by the Government has had much to do with bringing about the present unsatisfactory state of affairs, which, if not mainly, at any rate to a considerable extent, may be attributed to the apparent unwillingness or inability on the part of the Executive to work with the House or in unison with its views.'

(3) 'The House having already declined to destroy the constitution for a comparatively insignificant saving of expense, on the same principle fails to perceive that the abolition of the fourteen fiscal divisions indicated, while retaining the officers for magisterial purposes, would effect a saving of expense at all commensurate with the sacrifice demanded ; although it does not shut itself up to the conclusion that no amalgamation or abolition could take place without serious detriment to the country.'

The remaining resolutions may be briefly summarised. No. 4 consented to the proposals for raising funds for the survey of Crown lands. No. 5 declared the necessity for the reduction of the salaries of the public servants, and demonstrated that retrenchment and reform in almost every branch of the public service might be obtained without any sacrifice of efficiency. No. 6 called attention to various items of heads of charges under which economy might be effected. No. 7 provided for a temporary reduction of all salaries and pensions on a graduated scale from 5 to 15 per cent., and No. 8 expressed the view that if these resolutions were at once adopted by the Executive and fairly and honourably carried out, the House was of opinion that the equalisation of revenue and expenditure might be attained without any sacrifice of efficiency.

Taken as a whole they sufficiently indicate Mr. Molteno's opinion of the Governor's wishes. The two men were diametrically opposed. The latter had no belief in representative institutions and had every faith in an Executive well removed from any criticism by the representatives of the people. Mr. Molteno, on the other hand, had the fullest confidence in the power and capacity of the people to govern themselves, and in the absolute necessity for their being placed in a position to do so.

These resolutions were seconded by Mr. W. Ayloff, an eastern; indeed the House was now practically unanimous against the Governor, and the first resolution was carried by a majority of forty-one to fourteen, thus showing how fully Mr. Molteno had met the views of the House. A most animated debate took place—the strongest language being used on both sides. Various attempts were made at obstruction, but the majority was determined, and on several occasions the House sat to a very late hour. The debate lasted during the 11th, 12th, 13th, and 16th, and the majorities on the other resolutions were almost as large as those on the first.

Various amendments proposed by the Opposition were negatived, but two or three friendly amendments moved by Mr. Porter and others were accepted; and the resolutions were eventually carried substantially in the form in which they had been drafted. The debate continued on the 17th August; the seventh resolution, proposing a reduction on all salaries, was most strenuously opposed, and Mr. Porter spoke against it. Mr. Molteno said he wished he could have seen some other way of making the revenue and the expenditure meet; he would be most grateful to anyone who would point out any other plan by which this could be effected, but he himself could not see any, and he thought that all must suffer in this time of depression and trouble. The majority on this occasion fell to ten, being carried by thirty-three to twenty-three. The final resolution was carried by a majority of thirty-four to fourteen, and it was agreed that they should be transmitted by a respectful address to the Governor.

It was said that Mr. Molteno was endeavouring to introduce responsible government by a side wind; that his sole object was the reckless one of bringing about a crisis; that he had a packed majority. The 'Standard' especially attacked him, while it had to admit that the Governor 'was injudicious and showed great want of discretion.' Mr. Molteno's views are very clearly expressed in a letter to his constituents in answer to a resolution passed at a meeting at Beaufort:—

The Governor's proposal was to destroy the Constitution, and substitute a Legislative Council of fifteen—three Government officials, and twelve elected members—the former not necessarily the highest officials, but to be selected by the Governor from any persons in the public service, to be changed from time to time as he might deem desirable; five to form a quorum. The discussion in the Assembly showed that only one member expressed himself in favour of the Governor's proposal. A minority supported the second reading of the Government Bill in complete ignorance, as it seems to me, of the policy which should regulate votes at a stage of legislation when the *principle* of a measure is affirmed.

It does not follow because a Bill might possibly be altered to any shape in committee that it is therefore right to pass its second reading. There is no question that if the House had accepted the second reading of the Government Bill, they would have affirmed the principle of Government nominees forming a proportion of the new House, however large it might be, and also that the present system of representation should be radically changed. The Government would have been the first to turn round and remind the House of this fact if it had fallen into the trap so well laid for it.

My individual opinion on the subject of a change in the constitution may be gathered from the following extract from a resolution which I drew up, intending at first to have proposed it, with others, as an amendment to the second reading of the Governor's Bill:—'This House is not prepared to sweep away the Legislature on any terms, although it is prepared to reduce its dimensions considerably in the direction of *one House* of a moderate but sufficient number to represent the country fairly.' Strenuously as I hold that *retrenchment*, and not *taxation* or loans, is the thing demanded by the country, I cannot see any force in the reasoning which says, as a first step, destroy the only power the country has of enforcing the one and preventing the other. True, a comparatively small saving would be effected, but with a sacrifice of nearly all power on the part of the people for the future. Who can doubt that if the people were foolish enough to throw away their birthright, surrender their liberty, and place taxation in the almost despotic power of a Governor, that income, wool, and other taxes would be inflicted upon the country soon enough, and with but little difficulty, without on the other hand there being the smallest probability of a reduction in establishments and expenses, which at present weigh heavily upon the people, to say nothing of giving full swing to the irritating frontier policy, threatening the liberty of men contending for their lives and property, of which we have had a specimen in recent occurrences on the northern border? If such a policy were adopted the time would assuredly come when public opinion, without any legitimate channel for its expression, would find vent in resistance, as at the time of the anti-convict agitation. The experience of that time convinced all thinking men that the Colony could no longer be governed except through its people. The Governor himself admits as much in his message No. 11, and yet strangely advises the destruction of the Constitution, and retrogression to what would be worse than the former state of things, instead of seeking to remedy any defects which time

may have developed in either its form or working. There is no question in my mind but that the proposal to abrogate the Constitution, thrust in the forefront of the Government scheme, was intended as a bone of contention to divide the ranks of those who were insisting on retrenchment throughout the service. It is the old policy of presenting retrenchment in the form most offensive to the public and the most calculated to cause division.

The Governor lost no time in sending his reply to the resolutions of Parliament. He said responsible government was unsuited to the country and was not desired by it. He regretted that his opinion that the constituencies did not properly appreciate the present form of Government should be unacceptable to the House. He declined to consent to give effect to resolutions of the House for withdrawing from the present recipients any portion of their pensions, and with respect to Bills he claims for himself 'the same privilege, and no greater, that he concedes to every member of the House, that of declining to introduce those he believes to be injurious.'

The relations between the House and the Government had become very strained. The Colonial Secretary, on moving the second reading of the Fiscal Divisions Bill, merely did so formally without saying a single word. In order to make the Bill as obnoxious as possible, the abolition of the electoral divisions was included in it. When Mr. Molteno expressed the hope that the Colonial Secretary would give the House some information with regard to the Bill and the views of the Government in respect to it, the Colonial Secretary said he was just in the same position as the hon. member. Mr. Franklin, seconded by Mr. Reuben Ayliff, then moved that the Bill be read a second time that day six months.

Mr. Porter expressed his regret that the Colonial Secretary had given no information as to the Bill. The Colonial Secretary replied that the Governor's message No. 11 gave all the information which was necessary. Mr. Molteno

remarked that this was about the last way to bring about a satisfactory state of affairs; the Governor's message did not give the information which could alone enable hon. members to understand the Bill, and Mr. William Ayliff expressed his surprise at the course adopted by the Colonial Secretary.

The next step in the struggle between the Governor and the Parliament was the motion of Mr. Abercrombie Smith, seconded by Mr. Molteno, requesting the Governor to lay on the table with the least possible delay the estimates for 1870, showing in detail the retrenchments which he proposed. The Government officers immediately took strenuous objections to this, on the grounds that part of the Governor's scheme having been rejected the rest must fall with it. The motion was nevertheless carried.

The Governor replied that he had been asked for permanent economy, and his opinion was, 'that in the form of a reduction of the number of members of Parliament was to be found the very essence of retrenchment.' The estimates for 1869 were before them, and he would, after learning the decision of the two Houses, submit well-digested estimates for 1870, thus endeavouring, though without success, to set one House against the other. It was moved that the House should go into committee to consider the estimates for 1869, and report what retrenchment should be made in the public expenditure of the Colony, whether falling under the Reserve Schedules,<sup>1</sup> or under any special Acts of Parliament, or subject to annual vote.

Mr. Molteno moved that a despatch of Lord Stanley to Governor Sir Benjamin D'Urban of the 31st of December, 1833, should be taken as a guide in considering what offices

<sup>1</sup> On the first establishment of representative institutions it had been considered expedient to reserve a civil list, over which the Legislature had either no power or an authority limited by very strict conditions. The sums in this list were put in a Schedule to the Acts, and were known as the 'Reserve Schedules.' See Earl Grey's *Colonial Policy*, ii. 391.

should be abolished and what reductions of salary were required, the circumstances of the Colony being analogous to those which existed in that year. Under that despatch most stringent reductions had been made in the salaries of all the permanent officers from the Governor downwards.<sup>1</sup>

Each item in the estimates was now submitted to the House and a resolution moved upon it. An interesting discussion arose upon the question of the annual payment of 10,000*l.* for the Imperial troops, when, to the horror of the Government officials and to the consternation even of many who had so far supported Mr. Molteno, he proposed to discontinue the payment. He pointed out that not only was the Colony unable to afford the money, but that the Home Government were working on the settled principle of recalling the troops from all their dependencies, whatever the special circumstances of the case might be, and that whether they were willing to pay or not there was no prospect of the troops being retained. In the debate which followed great diversity of opinion was manifest, and the resolution was eventually carried by twenty-two to twenty, a very narrow majority indeed contrasted with those on every other of the financial resolutions.

As soon as it was learned that the committee had refused to sanction the vote of 10,000*l.* for the troops, meetings were held at King William's Town and Grahamstown and East London, and notice of a public meeting in Cape Town was also given, protesting against the action of Parliament. When the matter came before the committee of the whole House, Mr. Molteno said that there was evidently a strong public feeling against his action in the rejection of the military allowance, that there was no principle involved, and that as it had been carried by such a small majority, he did not feel justified in forcing it through, and he would therefore vote for its reinstatement.

<sup>1</sup> See Theal, *History of South Africa*, 1795-1834, p. 392.



Mr. Porter, however, adhered to his views and voted accordingly, as did Mr. De Villiers and Mr. Sprigg, the latter in defiance of his constituents; the motion for reinstatement was carried by thirty-four to twelve. Eventually all the resolutions, seventy-six in number, were passed, the last being to the effect that the members should forego 15 per cent. of their travelling allowances, and they were now to be considered by a committee of the whole House.

The Colonial Secretary did his best to defer the debate. Mr. Molteno moved:—‘That the House on its rising do adjourn until Saturday.’ The Colonial Secretary said that it would be impossible for the Government officers to be present. Nevertheless the House decided to sit, and Mr. Molteno objected to any delay. When the day came obstructive efforts were made to delay the debate, but Mr. Molteno was supported by large majorities, and the House proceeded to consider the resolutions *seriatim*. They were all eventually carried except the one on the military allowance, which, as above explained, Mr. Molteno had yielded upon, and it was agreed that they should be forwarded to the Governor by respectful address.

As was only natural, the bitterest attacks were made upon Mr. Molteno; his action was attributed to all kinds of motives except the true one; and it was alleged that he was endeavouring to aggrandise himself personally. An attempt was made on the initiative of the Conservative party among his own constituents to bring pressure to bear upon him, but a counter-meeting was held, the proceedings of this section were entirely condemned, and Mr. Molteno was accorded the thanks of his constituents for the bold, determined, and patriotic attitude that he had taken up in this matter. Not only was he attacked outside the House, but within it the most violent assaults were made upon him by the Attorney-General and by the Colonial Secretary.

The struggle between the Parliament and the Governor

was regarded with the intensest interest throughout the whole Colony. Public meetings were held, some favouring the action of the Governor, others condemning it; but the majority of the country was decisively in favour of the course which was being pursued by Mr. Molteno. In the debate on the resolution refusing to allow the 10,000*l.* for the troops, Mr. Molteno spoke with great feeling, and said 'that it was supposed that he could endure any amount of attacks without defending himself; it was supposed that he had a thicker skin than anybody else. He was acting on principle, no amount of public outcry would prevent him acting in accordance with those principles, and, if it were necessary, he would rather leave the House and the country than abandon the principles which he was acting upon.'

The Governor lost no time in replying to the resolutions of the House on the estimates: he sent down a long message in which he gave no hope that the Government would be prepared to accept them, and proposed instead that there should be a duty on spirits, and an income tax of 2 per cent. on all shares, mortgages, and other property, and an export duty of 1*s.* per 100 lbs. on washed wool, and 6*d.* per 100 lbs. on grease wool, together with a house tax on all dwellings. He flatly refused to carry out the wishes of the House, and stated that he would do as he thought best. It was now for the House to see whether all its efforts in the cause of retrenchment should be rendered futile, and whether it would allow itself to be practically defied by the Governor.

On the Colonial Secretary moving that the House go into committee on the Governor's message, a discussion ensued, and Mr. Porter moved an amendment, seconded by Mr. Molteno:—

That whilst this House is of opinion that equalisation of revenue and expenditure, though all-important to the public welfare, will require an increase to be made to the colonial revenue, this House will not be in a position to entertain any

proposal for additional taxation, or to determine the amount which it will be necessary to provide by such additional taxation until the Government shall have informed the House to what extent it is prepared to agree to, and act upon the retrenchment resolutions lately passed by this House, when such Bills as may be necessary shall be submitted for the Governor's assent.

This was carried by twenty-five to thirteen.

The Governor replied by message refusing to say what measures he was prepared to act upon. Mr. Molteno responded by a motion recounting the steps which had been taken to effect a retrenchment, and suggesting that the customs should be increased by  $2\frac{1}{2}$  per cent. to meet the deficiencies which had already occurred. But the resolution did not stop there; it went on to assert that while presuming that the Governor would have no objection to sending down a Bill, yet should his Excellency decline to do so, the House believed it would be competent for it to initiate the measure as one necessary to supply the bygone deficiencies which have arisen in the public revenue. In regard to the attitude taken up by the Governor, that the Reserve Schedules should not be touched except by an Act of Parliament, the resolution stated that the House did not consider that the fact of salaries being in the Reserve Schedules makes any difference in dealing with them, but merely renders it necessary that a certain sum should be placed at the disposal of her Majesty.

The Governor had attempted to take up the attitude that the sums in the Reserve Schedules must be voted perforce by Parliament—in fact that the officials had a first mortgage on the revenue of the Colony to meet their salaries.<sup>1</sup> The resolution, while admitting that his Excellency must be himself judge as to the manner in which he

<sup>1</sup> This was exactly the position taken up by the Imperial officials in the case of the American Colonies previous to the revolt, and was one of the contributing causes to that disastrous event. See Lecky, *History of England in the Eighteenth Century*, vol. iv. p. 112.

should discharge the duties of his high office, asserted for the House a similar right to determine for itself the line of action which it is its duty to pursue.

Mr. Molteno introduced this motion in words suggesting a compromise :—

The House was driven (he said) to what it had done by the action of the Government in systematically refusing to give any assistance in the work of retrenchment. The Government had still got the matter in their own hands. Even at the eleventh hour they could deal with it, and deal with it better than the House had done. But if hon. members were left to themselves, they must just do the best they could. Were they to lay heavy and grievous burdens on the people when they did not think it necessary? There was no party feeling in what the majority of the House had done. They were endeavouring to the best of their ability to work the present system—it might be a bad system—he thought it was a bad system, but they were honestly trying to work it. He took it that there must be some meaning in granting representative institutions to this country. What was the use of giving the Colony representative institutions if the Government was to have the power of setting the Legislature entirely at defiance? Some use there must be in the constitution. Its framers thought it could be worked, and they must have thought also that the Government of the Colony would be guided, at least to some extent, by the collective wisdom of the country. If not, what was the object of calling them together? He believed that the Governor would not be supported at home, in setting the Parliament at defiance, because it was common-sense that there was some reason for having these institutions. The House had surely a right to say, ‘our Revenue has fallen short, and we consider that in the circumstances of the Colony, the salaries paid to officials are too high.’ The public officers who objected to being cut down had not objected to the progressive increase of their incomes which many of them have enjoyed for years. It was said that public servants could not live upon anything less than they received already, but nothing was heard of the unfortunate people who had to live on much less than formerly, and to find the salaries of officials as well. If hon. members tried to bring down the expenditure to the circumstances of the Colony, their proceedings were denounced as tyrannical and wrong; but if the Legislature was not to be of the slightest possible use, it would be a good thing to abrogate it altogether. He repeated that this was not a party matter. It was the voice of the country that

declared we could not afford the present rate of expenditure. Why should not the opinion of the country be listened to by the Governor? Although his Excellency was in a different position to what he would be under a different system, he must still be guided by the opinions and wishes of the people. . . . Although he (Mr. Molteno) was, and always had been, an advocate for responsible government, seeing that the verdict of the country at the recent general election was against it, he was prepared to assist in carrying on the present system in the best way he could. It was most unfair to say that the action taken by the advocates of retrenchment was for the purpose of crippling the Government. They desired to carry on the Government of the country efficiently but not extravagantly. All the observations made about crippling the Government were only so many figures of speech used for the purpose of debate. . . . If the people were to be taxed, there was no reason why they should not choose what tax they would prefer. The income tax—the tax *par excellence* of the Governor—would, when it came to be put into force, rouse a feeling throughout the Colony, the like of which had never been known before. It would create unpleasantness, irritate the people excessively, and a large portion of the amount it might produce would be absorbed by the expense of collection. The whole feeling of the House was dead against an income tax.

And then he indicated his desire to see the Governor meet the House by a compromise:—

For himself he saw no alternative but to send this message to the Governor. He thought it was an intimation that they were not unreasonable men, and that they were desirous of providing for the necessities of Government. If there was any abdication of any position that had been taken up, it was on the part of the members of the House who considered it their duty to make overtures to the Government from a sincere desire that the Colony should not suffer through any difference of opinion between the Executive and Legislature. They were willing to pass the estimates for 1869,—indeed, they were passing them as fast as they could. They were willing to give the necessary means for carrying on the Government in an efficient manner. They were willing to submit to increased taxation for the purpose of avoiding permanent loans. He thought there was now an excellent opportunity for taking into consideration the general finance of the country. . . . The proposals of the House should

not be spurned by the Government; if they should refuse to carry those proposals out, they would do it at their own risk, for he was sure that any Colonial Minister at home reviewing the proceedings, the reasonable proposals, and the reasonable action of the House, would entirely approve of them. Instead of being blamed, he thought they ought to be applauded for endeavouring to get the country out of its difficulties, and the House would do well, in his opinion, to carry unanimously the propositions now before it. He should be glad to know the views of any hon. member who might be opposed to the motion, and to learn whether they had any plan of their own to suggest.

Another long debate took place upon these resolutions, and eventually Mr. Molteno's motion was carried by twenty-three to twelve. The public and the country followed the struggle between the House and the Governor with the keenest interest, and an address signed by 400 landed proprietors and residents of Cape Town and its neighbourhood, including Messrs. Arderne and Steytler, and other representative names, was presented to Mr. Molteno and his majority, thanking him and them for their action, and asking them to persevere in their policy of retrenchment. When the resolutions came on for discussion every member in town was present in his place, and the public galleries were crowded with strangers.

The Governor's only answer was that with all respect to the hon. House he could see no cause to regret the impediments that they have up to the present time encountered in carrying out their views, and that he must decline to introduce a Bill calculated to defeat the wishes of the colonists.

Thereupon Mr. Molteno asked leave to introduce a Bill for increasing the customs revenue by 2½ per cent., alleging that he was compelled to adopt this course by the refusal of the Governor to introduce a Bill. His speech on this occasion was, by the admission of his strongest opponents, most able, temperate, and careful, and the following extract

affords not only an indication of his attitude throughout the controversy, but an illustration of the intolerable situation created alike by the system of irresponsible government and the peculiar temperament of Sir Philip Wodehouse :—

He could not see how the Governor introduced an allusion to the military allowance into his message. The Governor had heard nothing officially from that House about the military allowance. There was nothing about it in the resolutions to which his message was a reply. He did think the Governor might have left that alone instead of going out of his way to throw it, as it were, into the face of the House. It was well known that the resolution about the withdrawal of the allowance was agreed to in a pretty full House by a majority of only two ; that in regular parliamentary order the resolutions of the committee came again before the House for further consideration ; and, that when they came to the resolution about that grant, the House rescinded the resolution. The Governor knew nothing from the House about it ; and it was of this he especially complained in the messages of his Excellency. The Governor sought out things for the purpose of saying them to the House, which he (Mr. Molteno) thought he ought not to do. It would be a different matter if they had the Governor in that House. They could argue with him, and show him where he was wrong. They would then be in a fair position ; but now the Governor had an advantage over them which he used pretty freely. There was again the allusion to the sinking fund. The House had changed its decision on that subject simply out of deference to the wishes of the Government, and now they were taunted for having done so. His opinion of such a sinking fund as they had in this Colony was not altered. He believed it now, as he did before, to be a great sham. For a Colony that was borrowing to meet current expenditure, to talk of a sinking fund was absurd. It was merely taking money out of one pocket and transferring it to another, without giving the public creditor any additional security. When, in the spirit of compromise, the House gave way on this point to the Governor, he thought they should at least get credit for their desire to conciliate the Executive. But they were mistaken. The Government, having induced them to give way, ought, he thought, to meet them in a conciliatory spirit. Was it so ? Did it not appear as if, having got one thing out of them, they wished now to grapple them the closer, to force them to give way in everything. Look to the allusion in the Governor's message about the judges' salaries. The House had never

changed its opinion on the right of the House to interfere with the salaries of the judges as with those of other public servants ; but because, in their desire to meet the Governor in every way they possibly could, they had changed their decision on this point, they were taunted with having on further consideration changed their opinion. Was this kind ? Did it not seem as exulting over the House ? It proved that the Executive of this Colony did not desire to meet the representatives of the people in a spirit of compromise, but that they would have all if they could, their pound of flesh. Their policy was war to the knife. No giving way on their part ; but, when the representatives of the people gave way, in their wish to carry on public business, it was thrown in their teeth.

The House granted leave to bring in Mr. Molteno's Bill when the Governor cut short the proceedings by suddenly proroguing Parliament. This was to use his constitutional power of prorogation in a most arbitrary manner, and such personal exercise of the prerogative of the Crown could not be frequently indulged in without danger. The British constitution, being unwritten and most delicately balanced, can only be successfully worked by a series of compromises, and by a principle of give-and-take between its various authorities. A direct conflict between the Crown and the representatives of the people has not occurred in recent times in England itself.

Another subject of considerable importance came up for discussion in this session. The Governor's action in taking over Basutoland when the Basutos were hard pressed by the Free State, and making use of the Frontier Armed and Mounted Police, was drawn attention to by Mr. Molteno, who affirmed that while always willing to place this force at the disposal of her Majesty's representatives in difficulties which might arise beyond the border, he repudiated the idea that Basutoland should be defended by it. No one, he said, had ever contemplated that the Frontier Armed and Mounted Police would be employed in defence of the Basutos and in taking up a position hostile to the Orange Free State :—



It was highly probable that if the police were to be maintained there the Colony might be drawn into disputes likely to disturb the good understanding which had hitherto prevailed between it and the Free State. . . . He regarded it as an anomaly that the police should be employed in the defence of a native tribe against Europeans. He thought the House would not be going beyond its legitimate province in submitting its opinions to her Majesty's Government.

Mr. Porter supported Mr. Molteno :—

The Member for Beaufort (he said) considered that the police were sent into Basutoland to keep the Free State in check, and no doubt he had in his mind, when he drew this motion, the very unfortunate consequences that would have resulted if any disturbance had taken place on the border of Basutoland between our police and the burghers of the Free State. We could not have stood by and allowed the police to be destroyed, we must have sustained them, right or wrong; and unless we were under the positive obligation to keep the peace on the border of the Free State, and there was any danger of a collision, it was desirable to withdraw the police. Anything more unfortunate than such a collision could not be imagined, either for the colonists, the Free State, or the Basutos. The people of the Republic were of the same kind as ourselves, were our brethren; they crossed the Orange River, not for conquest, but as was their custom—looking for grass and water. Settling down there they first came under British protection, but were afterwards cast off, compelled to accept their independence whether they would or no. To such a people, hostile collision on our part would be most unfortunate.<sup>1</sup> It might, however, be argued, by way of a set-off, that our police would rather check the Basutos and keep them within their own territory and prevent their depredations, than come into collision with the Free State burghers, and if this were so, the Free State would, no doubt, be delighted beyond measure, having a force on the border to protect it and that force paid by another power.

<sup>1</sup> Sir P. Wodehouse was himself fully impressed with the impolicy of a collision with the Dutch Republics. He says to Lord Granville: 'They seem to think that I, as the Governor of a Dutch population with a Legislature largely pervaded by the Dutch element . . . ought to have pushed matters to an extremity with a Dutch Republic inhabited by the nearest kinsmen of the Cape Colonists, ought to have incurred an immediate risk of great disasters and sown the seeds of bitter and lasting animosity.'—*I. P.*, C-459, p. 28.

The Government officials said that the motion was really brought forward as a censure upon the Government; but the Governor replied to the resolution by saying that the withdrawal of the police was in accord with his own views.

Another matter in which Mr. Molteno did good service to the Colony and defended the character of the inhabitants from the aspersions which were thrown upon them by officials, ignorant of the conditions under which they lived, was in connection with the disturbance on the northern border. Sir Walter Currie had dislodged the Korannas from the islands of the Orange River, when he found it impossible to so break their power as to render them harmless in the future. A commando had been called out, in which a number of farmers and natives took part, but it naturally could not keep the field for very long, and the Governor now made a proposal to the House that the bastards<sup>1</sup> should be settled in the tract of country there on the condition that they should support the officers of the Government. Such an arrangement, he said, would greatly reduce the cost of preserving order, and would at the same time secure the bastards and their families in the peaceful possession of the means of subsistence, without which there was reason to fear that they might be tempted, as a few had already done, to unite with the Korannas and attack the border inhabitants of the Colony.

The Colonial Secretary moved that the Governor should be authorised to sanction the occupation of Crown lands on the northern border of the Colony in the division of Victoria West, Calvinia, and Namaqualand, by such persons as may be selected by him without the payment of rent, on condition that the occupants perform such special burgher duty as they may be required by the Governor to perform, free of charge. The clearing of the land for occupation, and

<sup>1</sup> The name given in early colonial days to the Griquas, or bands of half-breed Hottentots. See Lucas, *Hist. Geog. of British Colonies*, vol. iv. part 1, p. 99.

the duty to be performed, was to depend upon an agreement between the Government and the occupiers.

Mr. Molteno moved the following addition to the resolutions:—‘That the committee is further of opinion that the occupation of Crown lands alluded to in the foregoing resolution need not be confined to the bastards alone, but that suitable persons may be selected from the general inhabitants of the Colony.’<sup>1</sup> After considerable discussion, and after a very warm passage of arms between Mr. Griffith and Mr. Molteno, in which Mr. Griffith accused Mr. Molteno of desiring to aid and defend murderers, the latter defended the inhabitants of that part of the country; he pointed out that they were not in the position of other inhabitants who could rely upon the arm of the law to protect them, but were to a large extent thrown on their own resources, and their actions therefore could not be regarded in the same light as those of ordinary persons who received proper protection.

In defending themselves they were obliged to go to the extremity of even taking life, and their acts ought not to be looked upon in the light of crime, but due consideration should be shown to them and due regard given to the difficult position in which they found themselves.

Mr. Porter entirely supported Mr. Molteno in this view, and said that ‘a very special regard ought to be had to the circumstances under which these unfortunate people were placed.’ Having occupied the position of Attorney-General himself, he spoke with a sense of responsibility, and his opinion, confirming Mr. Molteno so fully as it did, was a valuable aid. Mr. Molteno’s amendment was eventually accepted by the Colonial Secretary, and the motion thus

<sup>1</sup> This was in pursuance of his policy that the ordinary inhabitants of the country should not be specially excluded from any particular tract. A similar exclusion was attempted subsequently by Sir Bartle Frere, in the case of Galekaland, where Scotch and Germans were alone to have grants. Mr. Molteno on that occasion also refused to allow the restriction, and prevented the country from being reserved for any one special class. *Infra*, Vol. II. p. 246.

amended by him was carried. This northern border, it should be added, had been always subject to native incursions, and had never received proper protection, in consequence of which a large emigration of farmers had taken place to the Free State and Transvaal.<sup>1</sup>

Although this was the first session of the new Parliament, the Governor announced in his high-handed way, that he would immediately make an appeal to the country as to the principles upon which the Government of the Colony ought for the future to be conducted.

In his review of the proceedings of the session, he concluded by saying that the constituencies should deliberately consider whether the present form of government is such as they desire to have ; and, if not, what changes should be made,—whether the Colony should be brought under party government, or whether the Legislature should be so modified as to afford the Executive Government in its present state some prospect of obtaining support. He himself was unable to see in the present condition of the population and society of the Colony how party government could be introduced with any prospect of satisfactory results. The alternative was a material reduction in the numbers and a modification of the form of the existing Legislature. And with these words he dissolved the House of Assembly.

Mr. Molteno's work had been extremely arduous ; he had devoted his whole time and attention to an endeavour to obtain retrenchment and to guard the constitution of the country from the attempts of the Governor to cut it down and destroy it. These efforts were not unappreciated by the country, and Mr. Frank Reitz, a gentleman who had served the country, both in the Upper House and in the Legislative Assembly, a man conspicuous for his honesty of purpose and his patriotism, said in a letter to his constituents dealing with the events of the session :—‘ Those who then believed

<sup>1</sup> See Theal, *History of South Africa*, 1884-54, p. 92.

that it was impossible to get retrenchment and no unpopular taxation, chose Mr. Molteno as their mouthpiece who, without obtruding his services, became their leader, and I believe the country generally will approve of the manly, able, and uncompromising stand he has made.' Even in the east his services were acknowledged. The 'Port Elizabeth Telegraph' said:—'We understand it is contemplated to thank the leader of the Assembly, Mr. Molteno, for his services during the session. Such a tribute will be worthy of the man and of the occasion.'

He received addresses from different parts of the country thanking him for the stand which he had made in defence of the constitutional rights of Parliament to control the expenditure, and furthermore a requisition from Cape Town, signed by 500 electors, which recounted his services and thanked him for them, and asked him to allow himself to be nominated for a seat in the Assembly. Mr. Molteno replied that Beaufort had prior claims upon him, as he had sat for that constituency since the institution of Parliament, and he felt that he could thoroughly rely upon his constituents—they were men who could not be tampered with, and whose suffrages could not be bought.

A very strong attempt, however, was made to tamper with his election, and Messrs. Thwaites and Christie were supported by the Conservatives, against Mr. Rice and Mr. Molteno. There was great excitement on the nomination day, and the show of hands was apparently in favour of Dr. Christie and Mr. Thwaites. It was, however, subsequently discovered that about a hundred coloured men had been brought up with directions how to act, and on a given signal from their leader they held up their hands when Dr. Christie and Mr. Thwaites were proposed. A poll was demanded. When the polling day arrived in the town of Beaufort itself Mr. Molteno and Mr. Rice were in a minority. This was immediately telegraphed to Cape Town,

and great were the rejoicings among the Conservatives ; but their hopes were soon dashed to the ground by finding that the country part of the constituency had reversed the verdict of the town, and that Mr. Molteno and Mr. Rice were returned by the majority of votes of two to one over their opponents.

In the recess the Governor published his fourth attempt to alter the constitution. A Bill was gazetted for abolishing the Upper House and reducing the Lower House to thirty-two members, including a number of official nominees of the Governor. There was now a clear issue before the country, whether the power of the Executive should be increased, or whether representative institutions should be further extended and be enabled to reach their legitimate goal in the form of responsible government. The retrenchment outcry became stronger than ever after the dissolution, and became a national one. Mr. Frank Reitz, in his election address above referred to, said he would beg to conclude with this observation, namely :—

That the Parliament of the Cape of Good Hope assembled in 1869, whether we consider the talent, the industry, the independence, local knowledge, and honesty of purpose possessed by the members, would bear favourable comparison with that of any country, even with more complicated and difficult tasks to overcome, and if they could, after three months' devoted work, do nothing there must be something wrong in the state of affairs, and nothing but real representative government could remedy this condition of affairs.

## CHAPTER VIII

## RESPONSIBLE GOVERNMENT. 1870-72

Responsible Government in other Colonies—Canada—Australia—New Zealand—Sir Philip's fourth Constitution—Session of 1870—Reserve Schedules—Attempt to withdraw Salaries from Votes—Debate on Governor's Proposals—Rejection of them—Incompetency of Executive—Illness of Mr. Molteno—Sir Philip's departure—Withdrawal of Troops—Lord Kimberley's views—Colonial Responsibility for Defence—Sir Henry Barkly, Governor—Mr. Molteno moves for Responsible Government—Speech in favour of—Motion carried—Discussion on Bill for Responsible Government—Bill carried—Rejection by Council—Annexation of Diamond Fields proposed—Opposed by Mr. Molteno—Visits Europe—Observations applied to Cape—Return to Cape—Session of 1872—Debate on Responsible Government Bill—Bill passed—Annexation of Griqualand West—Rejected—Effect of Responsible Government on Federation—Agitation in East—Its Collapse—New Ministry—Description of Mr. Molteno—Formation of Cabinet—Special Provisions of Responsible Government Act.

THE question may not be unprofitably asked whether Sir Philip Wodehouse could expect to rely for hope upon anything which had occurred in any of the other great colonies of the Empire in carrying his reactionary measure through the Cape Parliament? Did the Cape differ from them in spirit or self-reliance? A glance at the history of the development of colonial self-government may supply the answer.

Sir George Cornwall Lewis, writing in 1841, was correct in saying that—

Since the close of the American war it has not been the policy of England to vest any portion of the legislative power of the subordinate government of a dependency in a body elected by the inhabitants. The only exception to this uniform policy is furnished by the Canadian provinces, whose subordinate Government was partly vested in a House of Assembly by an Act passed in 1791.<sup>1</sup>

<sup>1</sup> Lewis, *Government of Dependencies*, p. 159.

The loss of our American colonies was long in teaching wisdom to our Government; so far from conceding greater freedom to those which remained, the colonial policy of England underwent a complete change. 'To prevent the further dismemberment of the Empire, became the primary object of our statesmen,' says Lord Durham in his celebrated Report of 1839;<sup>1</sup> and 'a special anxiety was exhibited to adopt every expedient which appeared calculated to prevent the remaining North American colonies from following the example of successful revolt.' We interfered in every kind of way with the internal affairs of the colonies. British colonisation for a time lost its main characteristics, and 'British provinces became the scene of a strange experiment, that of governing English subjects in America from an Office in London, and submitting distant dependencies to a subordinate Agency of a metropolitan Bureau working through the intrigue of a narrow clique on the spot.'<sup>2</sup>

English spirit soon showed itself in protest. The Canadian colonists asked for a constitution similar to that of England, which would give them more self-government. In 1791 an elected House of Assembly and a nominee Legislative Council were established in Upper and Lower Canada, the two provinces into which that country was then divided. But matters did not stop here, for there was a continual struggle on the part of the colonists to obtain complete representative institutions, by the subjection of the Executive to their own Legislature, the system in other words of responsible government.

The Government at home were very loth to yield. Their reluctance cost the country an enormous sum, and injured the colonial growth. Lord Durham reported that 'in each and every province the representatives were in hostility to the policy of the Government, and the administration of public

<sup>1</sup> Page 25.

<sup>2</sup> Sir Charles Adderley, *Colonial Policy*, p. 20.



affairs was permanently in the hands of a Ministry not in harmony with the popular branch of the Legislature.'<sup>1</sup>

This was exactly the position to which irresponsible government had reduced the condition of the Ministry at the Cape. It was argued then, as on every subsequent occasion it has similarly been argued, that the cessation of interference would mean the total separation of the colonies; but Lord Durham took the true view that the cessation from irritating interference meant the growth of better relations, and the birth of a warmer feeling of attachment, together with the removal of the causes of difference.

In the meantime, during 1837-8, there were rebellions, as well in Upper as in Lower Canada, owing to these defects in the constitution. In 1844 an Act was passed for the union of Upper and Lower Canada, separated in 1791, so as to merge the quarrels of the two races, and this shows the wisdom of the policy of not granting a separate government to the eastern province of the Cape Colony. What was wanted was, that the Government should be in harmony with the Legislature. Mr. Gibbon Wakefield describes the effect of giving representative institutions without responsible government 'as being much like that of lighting a fire in a room with the chimney closed. How long it will last depends on the strength of the fire.' The determination of Englishmen is the same in whatever part of the world they may be established, only to submit to laws passed with their own consent.

The course of events tended to place more power in the hands of the Ministry responsible to the local Legislature. Yet the process was a gradual one. So late as 1844 Lord Metcalfe, the Governor-General, dismissed the Ministry, supported by a majority of the Assembly, and set up ministers of his own whom he kept in power by the vigorous use of his influence. This was aptly compared with

<sup>1</sup> *Report*, 1839, pp. 27-8, quoted by Adderley, p. 22.

Strafford's advice to King Charles, 'by no means to abolish Parliaments, as a well-governed Parliament was the best instrument for managing a people.' Like Strafford he looked upon Parliament as a mere instrument of the prerogative, and he claimed that 'while he recognised the just power and privileges of the people to influence their rulers, he reserved to himself the selection of the Executive.' It is, of course, the exact reverse of the constitutional maxim that the Legislature controls the selection of the Executive, and in the words of Lord Grey, 'the effect of this was to direct parliamentary opposition against the Governor personally and the British Government, of which he was the organ.'

A considerable advance was made in Lord Elgin's administration, which came to an end in 1854, but the views he expressed of his relations with his Executive showed that responsible government was not yet in full force. He averred that he accepted as his advisers, men who possessed the confidence of the Legislature, but 'on the understanding that they would enjoy his support and favour only so long as they *continued to merit them* by fidelity to the Crown and devotion to the interests of the province.'

Thus he still adhered to the notion that the Crown could exercise a sort of superintending power quite apart from its power as a constituent of the Legislature. But after this time we hear no more of this superior and paternal power of the Crown and it takes its proper place as one of the constituents of the Legislature, while the Governor is little more than the connecting link between the mother country and the Colony, occupying the neutral position of the English Crown and amenable to Parliament through his Ministry.

Turning to Australia, whose colonies had been born in the second or 'debased period' of English colonial policy, we are brought face to face with a curious anomaly. The necessity of governing penal settlements by a direct representative of the Crown had afforded the first in-

stance of settlements founded by Englishmen without any constitution whatever, and the example was now followed and extended to colonies in which no convicts were admitted. 'This,' says Merivale,<sup>1</sup> 'is a remarkable novelty in British policy.' Such were the early governments of Australia, whether they had been penal settlements or not, and such a form survived in South Africa in the case of Natal, which, until 1893, remained a Crown colony.

New South Wales was the first to receive a constitution, which in 1842 somewhat widened its merely official government. Representation was given in a Council consisting of one-third nominee members and two-thirds elected. Lord Grey thought this an excellent form of constitution, as he considered it most difficult to create a satisfactory House of Lords in the colonies. In addition to the check imposed by the presence of nominee members in the Legislative Council, immature legislation was subjected to a further trial, for the Governor was empowered to return Bills for reconsideration with any amendments of his own.

This Constitution by an Act of 1850 was extended to the other colonies of Australia, with the exception of Western Australia. It did not satisfy the people of New South Wales. The New South Wales Legislative Council remonstrated against the Constitution Act as still retaining in the hands of the Crown the control of waste lands, customs, and the civil list and the Crown veto on local legislation. It is interesting to observe that they objected on the same grounds to the high price of land insisted on by the Crown, as did Mr. Molteno at the Cape, viz. that it 'diverted immigration from themselves.'

There was a power given under the above Constitution Act to the Council to reform itself, and in 1852 Sir John Packington, the Colonial Secretary, offered to repeal the Land Sales Act if the Australian colonies would establish institu-

<sup>1</sup> Merivale, *On Colonisation*, vol. i. p. 105.

tions on the Canadian basis, stipulating merely that they should appropriate permanently a civil list sufficient for their Government. By the Act of 1855 all the Australian colonies except Western Australia acquired the right to dispose of their own Crown lands.

In 1853 New South Wales adopted a constitution consisting of two chambers, a nominee Upper House of twenty-one members, and an elected Assembly of fifty-four members; the control of the Crown lands and customs was given to it under the above Act of 1855.<sup>1</sup> The duration of both chambers was five years. Victoria, by a Colonial Act in 1854, confirmed by 18 & 19 Vict. c. 55, exercised the power of reforming itself and established a constitution with two chambers; consisting of a Council elected by six provinces, and an Assembly of seventy-five representatives also elected. The first Legislature was summoned by Sir Henry Barkly in November 1856.<sup>2</sup>

In New Zealand, by a Constitution Act,<sup>3</sup> passed in 1852, a Legislative Council of ten nominee life members and an elected House of Assembly of forty-two members were established. The only point reserved for home control was that of native relations. In 1854 a despatch was sent out making the Executive Council expressly responsible to and removable by the general Legislature, which held its first session in that year.

The reserve of the control of native relations was condemned at the time by Mr. Gladstone.<sup>4</sup> After describing the manner in which our earliest colonies were founded 'by a body of free men destined to found a free state in another hemisphere upon principles of freedom similar to our own,' he said, 'Instead of telling the Colony to look for no help from us unless they maintained the principles of justice, we foolishly told them not to meddle with the relation between

<sup>1</sup> 18 & 19 Vict. c. 56.    <sup>2</sup> Sir Charles Adderley, *Colonial Policy*, pp. 97-108.

<sup>3</sup> 15 & 16 Vict. c. 86.    <sup>4</sup> Speech in House of Commons, 21st of May, 1852.

themselves and the natives,—that that was a matter for Parliament.' The sequel has proved both in New Zealand and South Africa the fatal effects of this attempted control from afar, which has resulted in increasing warfare, and in England bearing the blame of all the misfortunes of such a policy, while she has had to endure the cost of this thankless and self-imposed task.

The control over the Crown lands was conceded without question to the same constitution, though only two years previously it had been refused to New South Wales. In New Zealand troubles next arose out of the native question, and England in 1862 conceded by an Imperial Act<sup>1</sup> to the General Assembly the complete power over the natives with full responsibility for its exercise. Fresh disturbances, however, between the natives and the colonists, occurred before a colonial policy could be put in operation. Disputes followed in consequence, between the Governor, his advisers, and the commander of the forces, and this eventually led to the passing of a resolution of the Colonial Parliament, that rather than have their policy controlled any longer by the Imperial Government, they would prepare for the earliest departure of the very last regiment.

The Imperial general resigned, and the operations were conducted by the Governor himself with the aid of the colonists. In 1866, peremptory instructions arrived to embark all the troops except one regiment. Sir Charles Adderley's remarks have been justified by events. 'I firmly believe,' he said, 'that now that these colonists have complete control over their own affairs they will be far more careful of the natives and better and more cheaply able to defend themselves—there will be less war and more civilisation.'<sup>2</sup> Since that date there have been no more serious native wars in New Zealand.

<sup>1</sup> 26 & 27 Vict. c. 48.

<sup>2</sup> Sir Charles Adderley, *Colonial Policy*, p. 159.

When we look at the history of the political development of the Cape and compare it with that which we have just sketched in the other colonies, we are struck by the fact of the arrested development of its institutions after the year 1854.

The issue now placed before the country by Sir Philip Wodehouse was whether the Legislature should be so modified as to be under the control of the Executive, or whether the Executive should be placed under the control of the Legislature by the adoption of responsible government. Looking to the history of English colonisation from its earliest days, could the issue for a moment be doubtful? The spirit of Englishmen is ever the same. The normal current of colonial history is the perpetual assertion of the right to self-government. It took its normal course here under the auspices of Mr. Molteno, Mr. Solomon, and Mr. Porter, who worked together for this great object.

The Governor proposed his fourth constitution and published his Bill before the elections took place. The Parliament was to be abolished, and a Legislative Council was to be established, composed of thirty-two elective members and four official members. It is curious to find Sir Philip Wodehouse trying to reverse the current of colonial political expansion, while Canada, Australia, and New Zealand had all adopted responsible government. Was the Cape inferior to these in public spirit and capacity for self-government? There were side issues which tended to obscure the main question, such as the feeling between east and west, but this merely reduced what would otherwise have been an overwhelming majority against the Governor's reactionary policy. The Parliament that met in 1870 marked the crisis.

The elections had been fought upon the question of responsible government versus the autocracy of the Governor. At a great election meeting held to select candidates for Cape Town, Mr. Molteno was called forward by

the meeting, who insisted on his speaking. He received an ovation from men of all shades of opinion, and was the speaker who really aroused the enthusiasm of the audience.

Various candidates all over the country declared in favour of responsible government. Mr. Meiring said that so much did he feel that the interests of the Colony were bound up with the question of retrenchment, which Mr. Molteno had so ably advocated, that should that gentleman fail to be re-elected for Beaufort West, he himself would at once resign in his favour. The district of Worcester which he represented was always prominent for its able and constant support of responsible government. Other members offered to resign in favour of Mr. Molteno should he fail to be re-elected for his old constituency.

When the new Parliament met on the 24th of January, 1870, before the great constitutional question came on, Mr. Molteno drew attention to the estimates and moved that the expenditure should take place only on the basis of the retrenchment resolutions passed in the last session. This had become all the more necessary, because on examination the estimates disclosed that a large number of items of salaries had been placed in the reserved schedules; many officers who had never had a place there, and whose position was originated by Parliament, were placed among the permanent officers. Mr. Solomon drew attention to this alteration and moved a resolution that it was improper conduct on the part of the Government. The Colonial Secretary confessed that the Government had done so because of the action of Parliament in the last session; they had endeavoured to withdraw, as far as they could, the salaries from the control of the House.

Just as had been the case in America before the Revolutionary War, so now the colonists were justified in contending that the power of taxation was essential to the importance of their assemblies, and that an extreme jealousy of any

encroachment of this prerogative was in perfect accordance with English liberty. 'In the eyes of the colonists the annual grant was the one efficient control upon maladministration.' In America also the attempt had been made to withdraw the salaries of officials from the votes of the local Legislatures.<sup>1</sup> If America was justified, much more was the Cape at this later period of history. The action of the Government was condemned by a majority of thirty-one to nineteen.

At last the great debate of the session took place. The Governor's Reform Bill, as he called it, was moved on the 22nd of February by the Colonial Secretary, who made a short speech. The cost of the present Parliament was too great, and this Bill would reduce it. It was clear from what he said that the Legislature was to be placed upon the footing of a mere department of the service of the country. The Council was to be abolished altogether; there were to be three nominee members of the Government and a nominee Speaker. The rejection of the measure was moved on four grounds, viz.: (1) It abolished the Council; (2) it appointed nominee members of Parliament; (3) it provided for a nominee speaker, who was to have a vote and casting vote; (4) the members were to receive no travelling allowances.

Mr. Thompson, the leader of the Conservative party, and member for Grahamstown, supported the Bill. Mr. Solomon recounted the attempts of Sir Philip Wodehouse to tinker with the constitution, and said it was not a question of responsible government or no responsible government, but whether they were to go back and put themselves under the personal rule of the Governor.

The Attorney-General made one of his bitter speeches, he tried to make the most of the opposition to responsible government, and said, 'It was this Bill or responsible govern-

<sup>1</sup> *Lecky, England in the Eighteenth Century*, vol. iv. p. 112.



ment; and if responsible government, then the country would be under an organised system of robbery.' Mr. De Villiers said he would never be a party to abridging the powers of the Parliament. At last Mr. Molteno rose :—

The Bill (he said) was due to the Governor's message No. 11 of the last session, and he complimented the people of the Colony on the low political character the Governor had given them. He thought the Bill a most insidious measure, and he had heard no real arguments in favour of it; he pointed out that if they destroyed the Parliament to save 5,000*l.* a year, they were depriving themselves of the power to make further retrenchment, 'they opened their wings that they might be clipped.' The cry heretofore had been, by the anti-responsible party, that the Parliament could control the Governor, but as soon as they did so, the Governor came down and said, 'Gentlemen, this will never do.' Referring to Earl Granville's despatch, in reply to that from Sir P. Wodehouse, he said the Governor instead of smoothing the way for his successor, was trying to smooth the way for himself. If they passed the second reading of the Bill, he would write home and say that he had been right, only let him remain a few years longer and he would get his House of twelve members. The Attorney-General had accused Lord Granville of double dealing; was that the character a Government officer should give one of her Majesty's ministers? The same official had said that responsible government would lead to jobbery, and having thrown the first stone, he must put up with the retort, and his answer was that the magistrates were being interfered with by the Attorney-General for political reasons, and that there had been reputed jobs, as, for instance, the leasing of the Guano Islands, under the present form of government, and for all he knew the appointment of the Attorney-General might have been a job, at any rate it was a very bad day when he was sent out to this country. He maintained that politics and the material advancement of the country were intimately connected, and he wished to know how the Colony was to be governed by Downing Street when the troops were removed. If the people were treated here as those in the Mauritius had been, serious results would follow, for though the people here were quiet, they would not be imposed upon. He concluded with a warning that 'the population was a quiet and long-suffering one, but if taxes and contributions were to be wrung from it by a Government with whom the people were not in sympathy, they would not endure it, and only overwhelming force could compel them.'

We may remark that had advice of this character been followed in the case of the Transvaal, instead of the uninformed opinions of officials imported from abroad, not conversant with the people or their characters, there would not have occurred the practical illustration of Mr. Molteno's words, in the rising of 1881.

The Colonial Secretary in reply devoted himself chiefly to Mr. Molteno's speech, and urged that if the House would only pass the second reading, the Bill could easily be altered as they pleased. The Governor was desirous of reporting to the Home Government that the Bill had passed the second reading, for Lord Granville, while anxious to give him every opportunity of giving effect to his views, had informed him that he had never concurred with him in anticipating that he would be able to frame and carry through a Cape Parliament a measure which would give to the Government as at present constituted such powers as the necessity of the case required. He wrote as follows to Sir Philip :—

If the Government cannot by some such measure be enabled to command the co-operation of the Legislature, it remains that the Legislature shall be enabled to ensure the co-operation of the Government; that is, that responsible government should be established in that as in other colonies of equal importance. I have considered the difficulties you point out as likely to arise when such a change is made, and if the colonists will not allow themselves to be governed (and I am far from blaming them for desiring to manage their own affairs, or from questioning their capacity to do so—which is seldom rightly estimated until it has been tried), it follows that they must adopt the responsibility of governing.<sup>1</sup>

When it came to the vote, the Bill was rejected by a majority of thirty-four to twenty-six. The result was received with cheers in the House, and the rounds of cheers were even taken up by the strangers in the gallery. The

<sup>1</sup> Earl Granville's Despatch, *I. P.*, C—459, p. 14.

division showed on analysis that there were eighteen easterns and eight westerns in the minority.

The Governor now made an attempt to destroy the divisional councils ; they were representative bodies, their importance in fostering the principles of self-government was fully appreciated by Mr. Molteno, and the effort was vigorously and successfully opposed by him.

The financial proposals of the Government were equally unsatisfactory. When the House Tax Bill was introduced, the Government were unable to afford any estimate of its yield of this tax. The Colonial Secretary said he was sorry that the returns for the revenue and expenditure of the past year were not yet ready ; the Audit Office was very busy preparing them. The House knew that there had been a large deficiency of about 90,000*l.* for the last two years, and the Government had no data on which to form an estimate as to what this Bill would bring in, but in his opinion it would not yield half of what was required ; when it had been in operation a year they would be able to tell what it produced. Such was the glaring inefficiency of the Executive Government.

Mr. Molteno complained strongly of the delay of the Government in introducing their taxing Bills. He believed they had a right to expect a redress of the grievances before passing taxes ; he believed that many charges might be taken from the general revenue and placed upon the local bodies, but the policy of the Government was to destroy everything that was local, make root and branch work of these. He referred to the success of the transference of the main roads to the Divisional Council as an instance of what might be done.

The Attorney-General refused to give his assistance to the House in any way. The Bill had been drawn without any regard to the circumstances of the country ; had it been left as drafted, it would have been utterly unworkable.

Mr. Porter came forward and gave his aid in drafting the technical clauses of the Bill, the Attorney-General, the original framer of the Bill, and the Colonial Secretary sitting by almost in perfect silence !

The session had now been so prolonged, that members were compelled to leave, and the Governor made a personal appeal to the eastern members to remain, a humiliating and unprecedented position to descend to. Members were prepared to grant the necessary taxes, but the Government was utterly unprepared ; the House was nearly two months in session before a move was made by the Executive to introduce any taxation measure whatever, and finally when Bills were introduced they appeared in forms cruder than had ever been submitted to any Legislature before. No definite statement was produced of the deficit to be provided for, no estimate, approximate or ever so vague, was framed of the probable proceeds of the new Bills submitted. As was stated at the time :—

The House was called upon to legislate in the dark, and it has for the last fortnight been legislating in the dark. The Executive instead of taking the Parliament into its confidence have kept studiously aloof, and in the case of the House Tax Bill not a particle of information could be elicited or extorted from them as to the plan on which they intended to act ; even, last night, when Mr. King asked an important and sensible question affecting the working of the House Tax Bill, the Attorney-General gruffly replied that he would not answer it, and thereby secured Mr. King's adverse vote and his departure by the next steamer. In the face of treatment of this sort, it is but natural that the most strenuous opposition should be aroused, the very opposition of which the Government now so piteously and so lamentably complained. <sup>1</sup>

The Upper House was in a worse position ; it was left without anything to do until a very late period of the session, and a strong resolution was unanimously carried animadverting on the conduct of the Governor in leaving the House unoccupied for such a length of time. Many of the

<sup>1</sup> *Argus*, 16th April, 1870.

Councillors now left in disgust. This session had again served to bring out in the strongest manner the utter incapacity of all the Government Executive officials save one to lead the House: the Colonial Secretary alone showed any tact or capability for this purpose.

The arduous and unpleasant duties which had fallen upon Mr. Molteno during the preceding session, the excitement of the general election, and the work in the early part of the present session, had caused his health to break down. He was attacked by a severe form of sciatica, which confined him to the house and from which he suffered the most excruciating pain; for a period of about six months he was wholly incapacitated from doing any work.

Having failed, as Lord Granville predicted he would, in revolutionising the constitution, Sir Philip Wodehouse left the Cape on the 20th of May. His speeches, both upon the opening and closing of Parliament, were received very unfavourably in England. The Home Government expressed their annoyance, and Mr. Monsell said that 'the Government have expressed their disapproval of his views.' He was succeeded in his office by Sir Henry Barkly, an official of tried experience and reputation, whose knowledge of colonial affairs was not confined to British Guiana and Jamaica, and who had acted with conspicuous success as Governor of Victoria from 1856 to 1863.

The session which had just closed had been marked by the passing of petitions in both Houses deprecating the withdrawal of the troops. These petitions pointed out that this withdrawal would be unfair 'pending the issue of the two great and important political measures affecting the native tribes which had recently been inaugurated in accordance with direct instructions from your Majesty's Government, and carried out under the sole direction and auspices of your Majesty's High Commissioner.'<sup>1</sup> They

<sup>1</sup> *I. P.*, C—459, p. 27.

pointed out that only five years had elapsed since an extensive tract of country known as the Transkeian territory had been filled up with Fingoes, and with the powerful Kaffir tribes, the Galekas and the Tambookies, while at a later period Basutoland had been taken over without consulting Parliament.

The addresses concluded by asking that the troops should not be withdrawn till sufficient time had been allowed to test the success of the two great experiments referred to, and until the Colony had been placed in a position to make effectual provision for the protection of its frontier. It will be remembered that the Transkei had been dealt with in the manner related in direct opposition to colonial views on the subject. The disastrous results anticipated were to be realised under another High Commissioner, who also acted on his own initiative and against the advice and wishes of his Ministry in the conduct of affairs which led to the outbreak and disastrous results of the Galeka war in 1878.

Before Sir Henry Barkly left England, the Earl of Kimberley, who had succeeded Earl Granville as Secretary of State for the Colonies, had addressed a letter to him, not so much with a view to giving him any fresh information, as for calling his attention to the views of her Majesty's Government communicated to his predecessor. The first question raised related to the constitution of the Colonial Legislature. Adopting the views expressed by Lord Granville, he stated that her Majesty's Government had little confidence in Sir Philip Wodehouse's proposal of a single Legislative Chamber, and did not regret its non-acceptance:—

Her Majesty's Government do not forget that the existence within the borders of the Colony of a large native population, superior in numbers to the inhabitants of European origin and connected with similar native races beyond the British territory, renders the successful working of responsible government more difficult than in colonies where the white population predominates. But they are, nevertheless, of opinion that on the whole the colonists would act wisely in adopting the principles of self-govern-

ment which prevail in Australia and British North America. At all events they have no doubt that either the establishment of a system of responsible government or the administration of the Colony as a quasi-Crown Colony, would be far preferable to the present system. . . . Whether it is to be changed in one or the other direction is a point which in the present stage of the question her Majesty's Government are willing to leave to be answered by the colonists. But a judgment arrived at without bias, and after local inquiry, by a Governor experienced like yourself in all three forms of government, will be peculiarly valuable, both to them and to her Majesty's Government.

With regard to the proposed attempt to transfer the seat of Government to the East Province, he went on to say that—

the carefully considered constitution of the Dominion of Canada deserves your particular attention as presenting a solution of this difficulty. It need scarcely, however, be said that the subjects of the defence and native policy should on no account be delegated to any subordinate authority.

And he suggested that provincial or district authorities might meet the desire of the eastern and more remote parts of the Colony for participating in their own government. As to Basutoland, he desired, in accordance with the policy of limiting the Imperial responsibilities for defence in South Africa, that it should be annexed as soon as possible either to Natal or to the Cape.<sup>1</sup>

In answer to this, Sir H. Barkly wrote :—

My own impressions with regard to the working of what is usually known as 'responsible government,' derived from experience in Australia, are decidedly favourable ; and should I find after careful enquiry at the Cape, that the obstacles to its success among the South African colonists are not insuperable, my strenuous efforts will be directed to secure its adoption.'

He proceeded to point out that undoubted prejudice had been established against responsible government, because it was understood that, if established, it would be the signal

<sup>1</sup> *Despatch of Lord Kimberley to Sir H. Barkly, I. P., C—459, p. 46.*

for the immediate withdrawal of the whole of the troops; and he suggested that if he might assure the Colony that such would not be the case, and that the defence of the frontier would still remain an Imperial duty, 'with which the Governor and the officer commanding her Majesty's military and naval forces were alone competent to deal, a very different view would be taken by many colonists, and there would probably be no more hesitation in undertaking the management of their own internal affairs than in Canada or Australia.'<sup>1</sup>

Lord Kimberley replied to the Governor's remarks, and stated 'that her Majesty's Government were, on the whole, of opinion that the colonists would act wisely in adopting the principle of responsible government.' With regard to the withdrawal of the troops, he stated:—

That if the colonists should be willing to take upon themselves the full responsibility of government, and to provide the force necessary to preserve order in the Colony, her Majesty's Government would not refuse to allow this additional regiment to remain for a reasonable period in order to give time for the organisation of a sufficient colonial force. But it must be plainly understood that whilst her Majesty's Government are ready to consult the wishes of the colonists as far as possible, as to the precise time for withdrawing this regiment, it is not their intention to maintain permanently in the Colony any troops, unless required for Imperial purposes. . . . It would be impossible for her Majesty's Government to make such a separation as you suggest, in the management of the internal affairs of the Colony and the defence of its frontiers against native tribes. Disturbances may easily arise among the natives within the borders of the Colony which may extend to the natives beyond the frontier, and it is obviously impracticable to divide the task of suppressing such disturbances in two parts, for one of which the Imperial, and the other the Colonial Government would be responsible. . . . The Imperial Government might be involved in a war on the frontier by measures over which it has no control.<sup>2</sup>

These despatches are of great importance inasmuch as they settle the responsibility of the Colonial Government for

<sup>1</sup> *I. P.*, C—459, p. 54.

<sup>2</sup> *I. P.*, C—459, p. 66.



the conduct of military operations in the defence of the Colony whether inside or outside its borders. At a subsequent period Sir Bartle Frere on his own initiative declared the policy of allowing the colonists to defend themselves an 'insane' one, and dismissed a Colonial Ministry because they acted on Lord Kimberley's despatch, and endeavoured to carry out their responsibilities by conducting the operations themselves and relying entirely upon colonial forces.

In referring to these despatches, the new Governor now approached the Parliament of the country. The greatest interest was manifested by the public in the opening speech; and the tickets for admission to hear it were exhausted days beforehand. He began by assuring the Parliament of his earnest desire to co-operate with them in all ways for the good of the Colony. He dealt at some length with the question of Griqualand West, and said that the question might arise whether it should not be united with the Cape Colony; and he suggested that Basutoland should be annexed to the Cape Colony and not to Natal. He then went on to refer to the Cape constitutional question, and said that there was an undoubted feeling in the eastern province, as observed by himself, that their special interests were not likely to receive due consideration as long as the seat of government remained fixed at Cape Town, and he asked whether this feeling might not be met by the principle of federation. It might, however, be necessary for responsible government to come first, and then to be followed by federation. He said:—

It is clearly necessary at the present moment, if a progressive policy is to be pursued, that the Executive Government should be endowed with more extensive powers and greater liberty of action; and if the question whether this should be accomplished by retracing the steps taken in 1854, and restoring the authority of the Crown, has been definitely decided in the negative, it is not easy to perceive what other feasible course remains open, save to carry the system of parliamentary government to its natural and legiti-

mate consequences, by rendering the Executive responsible through the medium of its principal officers to the Legislature; thus enabling it, so long as these retain the confidence of that body, to shape the course of public business, and act promptly and efficiently whenever the necessity arises in anticipation of subsequent approval. He considered that self-government should precede federation, to prevent the difficulties and risks of failure which any attempt to carry out simultaneously two such great political changes would inevitably entail.

‘It rests, in fact, with the colonists alone at the present juncture to judge for themselves what reforms in the constitution shall be effected, and I will only add, that I await the upshot of your deliberations as their representatives fully prepared to afford any assistance in my power to carry out the views at which the majority may see fit to arrive.’

He mentioned that the revenue at last showed a surplus of 35,000*l*. Things were thus brightening in the Colony.

The speech was much appreciated for its conciliatory tone. The Governor took up the position of a counsellor and adviser, and not that of a taskmaster, as Sir Philip Wodehouse had done. This speech is that of a courteous English gentleman, representing not merely Downing Street policy, but the best spirit of English statesmanship. He gave his own views, as a friend and a counsellor, but waited for the representatives of the people for guidance and direction. The existing Government now practically retired from active work until the constitution was remodelled.

Mr. Molteno immediately moved, in the words of the Governor’s speech :—

That the time had arrived when the system of parliamentary government in this Colony should be carried to its legitimate consequence, by rendering the Executive responsible through the medium of its principal officers to the Legislature, and in addition that a commission be appointed by the Governor to consider the expediency of provincial governments with a federation thereof, and if deemed expedient to inquire and report upon the arrangements which may be necessary for their introduction and establishment.<sup>1</sup>

<sup>1</sup> The portion of the resolution as to the expediency of federation was added subsequently with a view to conciliating eastern members.

With the previous and the present Secretary of State as well as the Governor against them, the Conservative party and those opposed to responsible government were now becoming desperate, but they resolved to die hard and make a good fight for it. Mr. Molteno was not yet fully restored to health and strength after the terrible illness which had prostrated him for six months, and which at one time seemed to threaten his life; nevertheless it was necessary for him to bring forward this motion, for Mr. Porter was unwell. It was fitting that he should do so since in previous years, when this question was discussed, it had always fallen to his lot to move the resolution in favour of responsible government.

After a few preliminary words, he said that it was the universal experience that there was something wanting to the constitution to enable it to work harmoniously, and the want had been felt ever since its first inception. Some people relied on the views of officials, rather than on those of himself and members of the House, and if they desired the opinion of officials, he pointed to the fact that both the present Secretary of State for the Colonies and his predecessor, as well as the Governor, were all in favour of the change. He thought it unnecessary to enter into the abstract question of the desirability of responsible government, as the time for that was past, the matter having been before the Colony for so long and been so fully discussed throughout the country:—

I am surprised that some members of this House, who are constantly vaunting the superiority of English statesmen over others in the world, should come forward now and say that these statesmen for purely selfish reasons desire to throw the colonists overboard, that they are ready to hand you halters to hang yourselves by, to throw the colonists overboard altogether. I cannot believe this of the great men who rule England. I believe that in desiring the colonists to take self-government, they wish to strengthen the bonds that unite the dependencies to England, that the bond is for the future to be one of more intense sympathy and not more inter-meddling with our local affairs. As the Home

Government withdraws from the control of our business, it knows that business stands a better chance of being done well by those, who living on the spot and knowing all the circumstances, can better understand it. It was impossible to go backward, in fact all are for going forward, but some say we had better wait. Why should we wait? Surely we have been long enough in a state of pupillage; for fifteen years we have been in leading strings, afraid to advance one step. During the years that have passed since we received the constitution, have we learned nothing—gained nothing? are we to be for ever like weak children requiring a nurse from Downing Street to guide our steps? Really all this indecision is weak. I have never had any doubts as to the introduction of responsible government, I have always said it must come, and there was no need to push forward the question—its opponents were doing that fast enough. It has turned out just as I expected, and in addition we find the ground cleared before us. The Home Government in the despatches recently received state that we must do everything ourselves, undertaking the defence of our frontier from the native tribes. If we do not act for ourselves, the Home Government may, perhaps, act for us, but, Mr. Speaker, I maintain, living as we do in the country and knowing its people thoroughly, we are in a much better position to act wisely for ourselves than any man, however wise he may be, who lives at a distance. We cannot throw up the responsibilities devolving upon us unless we abrogate our rights and privileges: even if we did that our difficulties would be greater than they are now; but, Sir, the people of this Colony, I venture to say, are not going to do anything so degrading and debasing as to give up those privileges which they received as their rights, and which they hope to hand down to their children. If I know the people of this Colony, Sir, and I venture to think I ought to have some knowledge of them, they will never accept such degradation. It seems to me, Mr. Speaker, that it is impossible to prevent this Colony from being enlarged, and questions are daily arising in connection with its extension, which in the opinion of many persons can only be satisfactorily settled by the colonists.

He then went on to refer to Basutoland and Griqualand. It had been put forward recently by the 'Journal,' an eastern province paper, that the Colony could not manage the natives. Mr. Molteno said:—

I think, Sir, that we who live in this country and who know its various native races, are much better qualified to know how to

deal with them than a man, however great his ability and however high his position, who is sent out as an amateur to this country. It is utterly impossible to expect that gentlemen by putting their feet on the shore, can know more of these questions, than those familiar with the country and its people. The opinion of the country in this, as on other subjects, ought to be given from the legitimate representatives of the people.

As to Federation he declared that he had ever strictly defended local institutions, but—

as I have understood federation, it means joining Natal, the Free State, and other places. The country, Mr. Speaker, hardly understands this very difficult, intricate question of federation; in fact, Sir, we have not been educated up to it. I cannot understand why gentlemen that I know to be favourable to responsible government, should object to have it till they get confederation. We have, Sir, representative institutions, and I think the House will do me the justice to say, that when the late Governor and his Executive tried to destroy these representative institutions I did my part in defending them. I may be trusted, therefore, when I say that the party with whom I act are not opposed to local self-government, and the friends of federation need not fear the introduction of responsible government. . . . When I consider that there is no difficulty in finding men for this House and for the Legislative Council; when I consider that, while I do not claim that we are better than other people in other countries, I do not admit that we are worse, I cannot admit that there is a difficulty. Our local institutions are as well managed as others; men will advance from our municipalities to the divisional councils and from them to Parliament by a kind of sifting process, for I hold that our local institutions are the schools for the education of our legislators.

He then went on to refute the idea that the east could not have fair play, and referred to what had happened in the past on the Committee of the House for Roads and Bridges, when a fair division was made and acknowledged by the eastern province representatives. He concluded by a manly and powerful appeal to the self-reliance of the people:—

In conclusion, Sir, I will make a few remarks which I trust will be received with attention by the House, not as coming from me, but because they deserve consideration. I would ask the

House to reflect upon the great progress, material and social, made by the Colony since it has been in possession of representative institutions. I admit that there have been failures, but these failures have in my judgment arisen principally from the want of harmony between the Executive and the Legislature. Making the most of these failures, I think, Sir, the House and the country will agree that since we have had representative institutions we have had much better government than we had previously. I, Sir, do not despair of this Colony, nor of its people; I believe now that its inhabitants have enjoyed the rights and privileges of free government, they will not make a retrogressive step, but that they will proceed to the full development of those institutions, they cannot rest satisfied till, like other free people, they control their own affairs. I admit that the country in many respects possesses good government, but, Mr. Speaker, what this Colony requires most is progress: we wish to have all the advantages that civilisation has conferred on other countries, and which we have not, and cannot have, as there is mutual distrust upon the part of the Executive and the representatives of the people. Mr. Speaker, this country will not be guilty of the act of cowardice, I may term it, to refuse to manage its own business. We find our young men growing up with an education equal to that of young men belonging to other colonies, they do honour to themselves when placed at the Bar, or in the pulpit, or in any high position.

Mr. Merriman: High positions!

Mr. Molteno: I don't know what the hon. member means. Are not judges in high positions? And have not colonial men done credit to the Bench of the Colony? It appears that with some gentlemen nothing colonial is good. If our young men, Mr. Speaker, do credit to the Bar, the pulpit, and other professions, why should they not be induced to give their services to the public as members of the Executive? Problems are arising that must be solved in the future, and is it not our duty to train the statesmen who will have to solve them? And in no way can that training be had but by colonists having a share in the government of the country. Sir, as I said before, to refuse to do this shows a diffidence, a cowardice, unworthy of the House and the country. We have tried the present system, and it is condemned on all hands—what are we to do? Affirm the principles of free institutions, manfully, as has been done in colonies of far less importance than this with the most complete success. This is the remedy we propose—if you object, what do you propose? All that I know of is a scheme of federation, which may be good in itself and may ultimately be brought about. This question is only on the threshold—no one knows exactly what it

means, therefore I am for inquiry. Educate the country up to it and let it be understood, but in the meantime, do not stop the way of good government; a change in the direction now advocated will not injure the cause in the country. I, and most of those who hold the same views on this question, are the staunch friends of local control over local affairs. They have almost alone stood in the gap in defence of local institutions, . . . therefore in this direction, the people have nothing to fear. I therefore confidently trust that this question will be carried by a triumphant majority, and that we shall all join in under a system which is well known and has on the whole, notwithstanding difficulties inseparable from any system, contributed so much in all parts of the British Empire towards the good government and happiness of the people, and will no doubt do the same here.

The speech was an able and a practical one, breathing the spirit of the Englishmen who have carried out the principles of the English constitution, and have successfully applied them in the great self-governing colonies. Moreover, even his bitterest opponents admitted his sincerity. The 'Standard and Mail' said in its issue of the 13th of May:—'Of the sincerity of Mr. Molteno's opinion that responsible government is the thing for this country there is, we believe, no doubt. He is rich, and can have no pressing interest in a scramble for place.'

A prolonged debate followed, the case against the Bill being opened by Mr. Merriman, who asserted that the Colony was a mass of corruption and ignorance, and referred to the Australian party papers to find a condemnation of responsible government in Australia.

Mr. De Villiers answered him quietly and calmly, but with a power and grasp which delighted all who heard him; he was broad and thoughtful and earnest throughout, an admirable practical proof of Mr. Molteno's assertion that colonial young men would do honour to high positions. Especially notable was his assertion that he had authority for saying that if responsible government were adopted the Orange Free State would desire to join the Cape, but without

responsible government it would not do so. This, together with a statement on the part of Mr. Hamelburg to the same effect,<sup>1</sup> was officially referred to by Sir H. Barkly in his despatch to Lord Kimberley.

Mr. Abercrombie Smith spoke strongly against responsible government, and gave five objections to it: (1) want of education, (2) no independent thought, (3) defects in the management of the divisional councils, (4) the moral state of the Colony, and (5) the mixture of races. Mr. Pearson, on the other hand, supported the motion, as did Mr. Scanlen, who remarked on the vast change which had come over public thought in the eastern province, and said that if all the western members withdrew the motion would only be lost by a majority of one.

Mr. Molteno had made an effective and crushing reply, when the Colonial Secretary surprised everyone very much by speaking after the mover had, in accord with the established custom, wound up the debate. He went into a long defence of Sir Philip Wodehouse's administration, and chose to introduce the personal question between the Executive and the Parliament. Mr. Porter excited a feeling of indescribable enthusiasm, both in the House and in the gallery, when in a few emphatic words he took exception to the Colonial Secretary's remarks and denounced the present system as 'rotten to the core.'

The resolution was carried by thirty-two to twenty-five, and the result was received with the most enthusiastic cheering by the majority and by the public in the gallery. On the following Monday the Governor sent down a message to say that he would introduce a Bill in answer to the resolution of the House. When the Governor asked the Attorney-General to draft the Bill, Mr. Griffiths refused on conscientious grounds, and the Governor was therefore compelled to call in Mr. Porter, who willingly gave his services, and

<sup>1</sup> See *I. P.*, C—508, p. 12.



drafted the Bill, which was sent down eventually on the Thursday. On the Bill being read a first time, the Colonial Secretary curtly refused to have anything to do with it, and said it was not his Bill, and it devolved on Mr. Molteno to move that the Bill should be considered on the following Monday.

The Governor reported to the Secretary of State that he had placed his opening speech before the Executive Council for discussion on matters of detail, though he could not expect them to agree on the question of responsible government. They asked leave, both as officials and as colonists, to place their deliberate opinions on record with a view to its being sent to her Majesty's Secretary of State, and the Governor now transmitted two lengthy protests, one on the part of the Attorney-General alone, and the other on the part of the rest of the Executive officers, stating their reasons for holding that the Colony was utterly unfit to receive responsible government. These were duly forwarded to the Secretary of State, but both the Governor and the Secretary of State considered that the conclusions were not warranted, and did not allow them to influence them in making any change in their policy.<sup>1</sup>

The Constitution Amendment Bill for introducing responsible government came on for discussion on the 30th of July, and Mr. Molteno took charge of it. He explained to the House that he did so because the Colonial Secretary had refused; that the Executive should refuse to carry out the policy which the Governor had embodied in a Bill was, he said, an astounding position, and showed the impossibility of continuing the present system. He refrained from going into details, as the matter had been very fully discussed in confirming the resolution that responsible government should be introduced. It was merely the principle which was now to be affirmed on the second reading; the

<sup>1</sup> *I. P.*, C—459, p. 196.

details might be discussed in committee, and he was ready to submit amendments if amendment were thought desirable.

The Colonial Secretary followed and defended himself. He said he could not conscientiously support the Bill, and he even went so far as to blame the Governor for the course which he was pursuing, and suggested that the former was going beyond the instructions which had been laid down for him by the Secretary of State for the Colonies. It certainly was an anomaly for the Colonial Secretary, the chief Executive officer of the Government, to criticise and censure the Governor; but allowance must be made for the difficult position in which he and his colleagues were now placed.

Mr. Thompson, the member for Grahamstown, made a vigorous speech against the Bill, perhaps the best delivered on his side, and said the country was not in favour of it, and the Bill ought never to pass. Various statements were made by those who were opposing responsible government with a view to throwing discredit upon the movement, and, if possible, upsetting it in some way. It had been suggested to the Speaker that he had improperly forwarded the responsible Government resolution to the Governor at the request of certain members of the House. But the Speaker, on the 3rd of July, declared that he had sent up the resolution on his own motion and without consultation with any member.

Mr. Porter laid down clearly and quietly the law as to the introduction of responsible government and the method of procedure, and he defended all the clauses of the Bill, explained their necessity, and rebuked the Colonial Secretary for his extraordinary criticism of the Governor. Among other notable things he said:—

While I am for responsible government, I do not expect it to work wonders—no, the age of miracles is passed. I do not say that if you give us responsible government all the mountain passes will be opened, and all the rivers bridged; I do not say

that if you give us responsible government the whole Colony will be covered with rails, I do not expect that; but I do expect that fresh vigour and fresh energy will be infused into the body politic, and that it will carry the Colony forward on the path of progress. I have always held the view that to work representative institutions without responsible government is a rash and a dangerous experiment.

He concluded as follows :—

For my own part it is now more than ten years ago that I delivered my views in this very hall. Nothing has occurred since to weaken those views, but much has occurred to strengthen them. I wish to see a strong Executive, I wish to see a career opened to colonial talent, and to see the character of Parliament raised by making the public services in it the honourable road to high political office; and believing as I do in the benefits which the Australian and Canadian Colonies have struggled for and won, and that this South African Colony is also able to struggle for and win, I wish this Cape of Good Hope may also possess that, without which parliamentary institutions become a mockery, a delusion, and a snare—I mean a responsible Ministry, possessing the confidence of the Legislature and the people.

Mr. Griffiths followed and expressed the position of the Executive, that they could not conscientiously take part in the drafting, or in the passing of, a measure which they did not believe in, and Mr. Solomon made a very able speech in favour of the Bill. Eventually the debate was wound up by Mr. Molteno's reply, in the course of which, speaking of the relations between Afrikaners and Englishmen, he denied the existence of the antagonistic feeling alleged by Colonel Eustace, and said as one knowing the Colony he could emphatically contradict that statement. There were now not English, Dutch, French, or Germans, but colonists desirous to do their best for their common country.

The Bill was eventually carried by thirty-four to twenty-seven. An analysis of the voting showed that twelve eastern members voted in the majority, and only fifteen in the minority, the numbers of westerns respectively having been nineteen for and eleven against. The feeling of the

public was unmistakably manifested at the close of the debate. Crowds waited outside and lustily cheered the Liberal leaders, giving Mr. Porter one cheer more as he stepped into the carriage.

There was very great public interest and excitement over this Bill, and meetings were held at Port Elizabeth and in the eastern province, protesting against the application of this Act, and asking the Governor to reserve the Bill for her Majesty's veto. It was urged that the east would not be fairly represented, and that federation should come first; in fact, as was stated by some of the party, anything should be done rather than the Bill should be allowed to pass.

On the House going into committee to consider the Bill, Colonel Eustace moved:—'That the House should not go on with the Bill until the Federation Committee's report had been received.' This was however lost by twenty-seven to thirty-three. Thereupon the anti-responsibles and members of the Executive, imitating the easterns on their surrender in 1864, left the house in a body, amidst the cheers and counter-cheers of the responsible government party. The clause which permitted the Governor to select ministers who had not a seat in Parliament, was, on the motion of Mr. Molteno, expunged, and one or two other minor alterations were made.

On the House resuming to consider the amendments, a surprise motion was made by Mr. Abercrombie Smith:—'That the amendments be considered this day six months.' It was lost by only one vote, and eventually the third reading was carried without a division. Port Elizabeth sent a petition to the Governor that if the Bill passed the Governor would reserve the assent of the Crown until a measure of federation had been passed. The Governor replied that responsible government must precede federation, and that it was impossible for the Colonial Government to carry out a policy of separation and then federate—the Imperial Par-

liament must take the initiative in this—and there was certainly no chance of her Majesty's Government doing this until responsible government had first been received in the Colony.

When the Bill reached the Legislative Council several members found themselves bound by their pledges given in 1868, the Council not having been dissolved with the Assembly in 1869. The Bill was rejected by twelve to nine votes. Writing home to Lord Kimberley, Sir Henry Barkly makes the following comment on the division :—

An analysis of the voting showed that the majority comprised eight eastern and four western representatives, and the minority seven westerns and two easterns only, so that as usual in this Colony the question may be said to have resolved itself into the old struggle between east and west, and to have been decided not on the consideration of its own merits, but on the score of the distrust entertained by the inhabitants of the former province of any measure which leaves them dependent on the latter. In the Assembly this feeling was even more conspicuous, no fewer than seven members of the eastern district having declared themselves strongly in favour of responsible government, though concluding to vote against it so long as they had no security that a responsible Executive was not to be located in Cape Town. Looking, however, at the unexpected amount of support which the principle has obtained, both in the Legislature and in the country, I am sanguine that its adoption in some form or other is not only nothing more than a question of time, but that it must inevitably triumph in spite of all obstacles, at an early period.<sup>1</sup>

An important matter was dealt with this session, when the Colonial Secretary gave notice that he would move a resolution affirming the expediency of annexing the Diamond Fields. Mr. Molteno opposed it on the ground of the change of constitution then before Parliament, and the existence of disputes as to territorial rights between the Orange Free State and the natives. His motion that 'the House declines at present to entertain the subject of annexation' was rejected by the narrow majority of two votes.

Mr. Molteno consistently held that the Colony should

<sup>1</sup> Despatch of Sir H. Barkly, 31st July, 1871, *I. P.*, C—459, p. 197.

not be responsible for a policy on which it had had no opportunity of expressing an opinion and was therefore not in a position to pronounce a judgment. Upon the Governor consulting his Executive Council as to sending down a Bill for the annexation, they unanimously advised him that there was no chance of its passing.<sup>1</sup>

In proroguing Parliament, the Governor made a very conciliatory speech. He said he did not wish to adhere to any preconceived plan, and would welcome any well-considered scheme for bringing about the two changes in the Legislature, if that were possible.

Mr. Molteno had never thoroughly recovered from the serious attack of sciatica which had prostrated him during the preceding session of Parliament, and he now determined to seek health and strength in a change to Europe. A week having passed since the prorogation of Parliament, he determined to leave for Europe. His departure evoked a fresh appreciation of his services on the part of the press and of his constituency. The 'Argus' said :—

Though a change of this kind (responsible government) is in accord with the wishes of the majority of the country, and does not really depend upon one man, still, it is nevertheless true that Mr. Molteno is a thoroughly representative colonist, familiar with both the wants and resources of the country, and as such, trusted as few men are by large and important interests in the country. Elsewhere will be found a congratulatory address to Mr. Molteno in his capacity as political leader, which must be peculiarly gratifying for him to receive on the eve of his departure to England. Such methods of conveying the confidence of the public are not often adopted in this country; if they were, we believe many more would have been received by the Liberal leader. At all events, we believe that political friends and foes alike respect Mr. Molteno's outspoken manliness, and would be sorry to lose his practical counsel in the House of Assembly.

His tour in Europe was an extensive one. While in London he had several interviews with the directors of the

<sup>1</sup> Despatch of 15th August, 1871, *I. P.*, C—508, p. 3.

Wellington Railway Company with a view to facilitating the purchase of the railway by the Cape Government, and the substance of these he communicated to the Governor of the Cape by letter. His observations were generally made with a view to the application of what he saw to the circumstances of the Colony, and with a view to the advancement of its interests. Writing from Suez under date 8th of December, 1871, to Sir Henry Barkly, he sums up some of his experiences in their bearing on the Cape Colony :—

Yesterday, I came from Ismailia in a large English steamer, and had a fine opportunity of seeing the canal from that point to Suez, and intend returning *via* Ismailia, either by rail or canal, and from thence through the other portion of the canal which runs from Ismailia to Port Said, thence direct or *via* Malta to Naples, and then work up through Italy, Switzerland, and France to England, expecting to return to the Cape by the steamer of 25th of February, or 10th of March at latest. I have seen so much that has a bearing more or less direct on the Cape Colony and its interests, that I feel justified in taking the liberty of writing freely to your Excellency, who at this most important point of its progress, has the power to do so much for the advancement of those interests—particularly do I wish to allude to railways and irrigation work. As to the latter, this is the part of the world to see what can be done with water, and the utter desolation and barrenness without it. I do not know whether your Excellency has visited this country—if so I feel sure the impression would be created that M. Lesseps is a wonderful man, not only in regard to his chief work, the Ship Canal, but others connected with it, such as the Sweet Water Canal, as it is called, which brings the waters of the Nile through a portion of the desert, and is now used for water communication as well as causing land otherwise perfectly barren and destitute of a particle of vegetation to bring forth a hundredfold.

The town of Ismailia was a perfect desert ; the most flourishing trees and gardens are now to be seen all around, and it is scarcely three years since the canal brought the first fresh water there ; you have now the Ship Canal and lake which forms the port of Ismailia, in front of a rising town with the Sweet Water Canal joining at right angles ; all along the Canal the land is being cultivated, and will soon bring in a large revenue and help to reimburse the shareholders. I have been much struck

with the similarity of the vegetation to all you see at the Cape. In the celebrated gardens of the Pasha at Alexandria and Cairo, as also of private individuals, almost every tree and shrub you see is the same as at the Cape, although we at the Cape have many trees which are not to be seen in Egypt, such as the oak, &c. The system of irrigation is precisely the same as in the inland districts of the Cape, only they have here many rough and inexpensive means of raising water from wells and low levels which might easily be applied at the Cape. The conclusion I have come to is a full confirmation of the views on the subject of irrigation works at the Cape which I have held for many years past, that judiciously commenced they would be of vast importance, and of a thoroughly reproductive character, whilst they are just the kind of works which could be carried out with our common native labour, could be utilised as they progress, and gradually enable the Colony to maintain a much more dense population, thus solving that difficult problem as to what is to become of the native population, if by natural increase and influx it goes on swelling as seems probable.

The population maintained in Egypt in proportion to the extent of land is only possible in this way, and whilst alluding to population, I may say that I shall return to the Cape with a better idea as to the capacity of our natives (Hottentots and Bushmen excepted) and their chance of progress, after seeing the great majority of people *here*—sunk almost to what one would think must be the lowest—filthy and dirty in the extreme, living in collections of mud huts scarcely conceivable as the habitations of human beings, and to which Kaffir huts would be an immense improvement—those even in the large towns of Alexandria and Cairo, with the exception of a small portion living in the principal squares and streets, no better; in fact the filthy and disgusting state of the greater portion of these towns defies description.

Egypt has several lines of railway, and like in Holland and some parts of Belgium, the country is so level that they must have been constructed very cheaply. But of all the railways I have yet seen, that from Vienna to Trieste is the most difficult, and is acknowledged to exhibit the greatest amount of engineering boldness and skill, and the similarity of some of the mountain gorges and other difficulties which will have to be overcome if railways extend very much at the Cape, would, I should imagine, render it very desirable that the engineers who have to plan and construct these should visit this line; it is 365 miles in length, and would in itself repay all the trouble and expense of a visit



from the Cape for those who take an interest in such undertakings. But on the whole I find that what we shall have to contend with in constructing lines from the two ends of the Colony inland traversing the more level parts, especially say from the Wellington terminus towards the Diamond Fields, is small comparatively speaking, and looking to the changed condition of things consequent upon the Diamond Fields and extension of the Colony in every way, I think that even those who are inclined to be most cautious in committing the Colony to large and expensive undertakings, must admit that things which might have fairly been looked upon as tasks a few years ago, may be viewed in a very different light now. Of course, if we are to move in this direction, which I think we must, a competent railway engineer, one of large experience and thoroughly to be depended upon, it is of the very first importance to secure, and our previous failures make me very anxious on this point. My own idea is, that if railways are commenced, irrigation works could go hand in hand, in fact one thing might help the other. It may be said we have no Nile, but we have water enough at times all through the year running to waste, which might inexpensively be arrested and directed into canals and reservoirs; as to soil, the Cape soil, especially inland, cannot be surpassed in fertility, it only wants water.

The rest and change derived from this tour were of great benefit to his health, and, on the 18th of April, a week before the opening of Parliament, he returned thoroughly invigorated, and ready to take up the arduous work which now awaited him in the responsible position he was soon to fill.

In the recess the question of responsible government remained actively before the country. The opposition was led by Port Elizabeth and Grahamstown. It was affirmed, by the commercial interests which were predominant there, that if responsible government were introduced, the western Ministry might come in and push on the railway from Worcester to Beaufort, and so cut out the route from Port Elizabeth to the Diamond Fields. The opposition to responsible government had entirely changed in character; when it was first introduced the objections were theoretical, but now these mere theoretical objections were only held by

a few antiquated Tories who had no practical influence upon the question, and the opposition was based upon the principle that federation was to come first and then responsible government. This was, as Mr. Ayliff said at Grahamstown, 'Our old friend Separation with a new face.'

Immediately upon the meeting of Parliament the burning question came before the House, where the Governor had now the assistance of one of his Executive officers. In the absence of the Attorney-General, who had left for Europe on leave, the acting Attorney-General, Mr. Simeon Jacobs, who, unlike Mr. Griffith, was entirely in sympathy with the party of progress, introduced the Responsible Government Bill in exactly the form in which it had been left last year.

He pointed out that the old system was condemned by all, Sir Philip Wodehouse included. The new system was recommended by Lord Granville, Lord Kimberley, Mr. Lowe, and Mr. Childers, and among colonial officials of experience, by Mr. Rawson, by Sir Andries Stockenström, and by Mr. Porter. He said that it had been decided by the Parliament that we could not go back, and therefore we must go forward. The answer, that we could not go back, was given when Sir Philip Wodehouse made his appeal to the country. All who had changed at all had changed in favour of this view; he knew of no instance in which any single member or prominent man had reverted from the responsible government idea to the other.

Men who knew the country ought to rule it. Colonial men, when admitted to offices, had done well—at the Bar, at the Church, in the medical profession, and would undoubtedly do well in the political openings which might be afforded to them by the new form of government. The federation cry was raised merely to stave off responsible government, and was not a real issue; the commission which had sat upon this subject had practically declared it a failure, as they were unable to come to any conclusion.

Another objection is that if responsible government is adopted, what will become of the native question? What is the great complaint on this score? It is that men are sent out to this Colony from England, who absolutely know nothing about the matter. One Governor may be sent holding one policy, and his successors may entertain totally different views; but under responsible government will this be the case or not? You will then have men to deal with the question who are thoroughly acquainted with it, the matter will be dealt with by the colonists themselves, and not by strangers. It has been urged over and over again, that none but colonists can deal with this difficulty, and assuming that the only way to bring about such a state of things is by a responsible Ministry, should responsible government be adopted, the conduct of native affairs will be vested in the colonists.<sup>1</sup>

The speech carried conviction with it. Colonel Eustace, the Conservative, opposed the Bill and stated all the old objections, and, among others, repeated that a bitter feeling would be roused between the various nationalities in the Colony—between the Dutch and the English. Mr. Thompson, the great opponent of last year, had accepted office, and was therefore absent and unable to take part in the debate, which was continued by Mr. Solomon, who addressed himself to Mr. Eustace's argument with regard to Dutch and English, and held up to ridicule the Minutes of the Executive officers which had been sent to the Secretary of State.

It was thought unnecessary for Mr. Molteno, Mr. Pearson, Mr. Porter, or Mr. Ziervogel to speak on this occasion, and, as usual, Mr. Molteno preferred to reserve himself for the time when he was really required. He was one of those leaders who acted in accordance with the views expressed by Mr. Bagehot: 'A quick and brilliant leader is apt to be always speaking, whereas a leader should interfere only when necessary, and be therefore felt as a higher force when he does so; his mind ought to be a reserve fund, not invested in

<sup>1</sup> Compare this utterance of her Majesty's Attorney-General in introducing responsible government, with Sir Bartle Frere's subsequent action on the native question.

showy securities, but sure to be come at when wanted, and always of stable value.'<sup>1</sup>

Eventually the Bill was passed by thirty-five to twenty-five, a majority of ten. The two Ayliffs were found in the minority, but they did not speak. The majority, when analysed, consisted of twenty-two westerns and thirteen easterns, while the minority consisted of nine westerns and sixteen easterns. A slight attempt was made by Mr. Abercrombie Smith to obstruct, but without much discussion his motion to postpone the debate for six months was rejected by thirty-six to twenty-three, and the Bill was sent up to the Upper House. Here its fate hung in the balance. Dr. Hiddingh and Mr. Roubaix, who had in the previous year voted against responsible government, said that they had not had time to consider it sufficiently, and were not sufficiently aware of the wishes of their constituents, to whom they now appealed.

The answers arrived, and on the 10th of June a great meeting was held in the Mutual Hall, where these two members of the Council received deputations presenting petitions in favour of responsible government from the Cape division, from Cape Town, the districts of Stellenbosch, Tulbagh, Worcester, Swellendam, and various other places. The formal deputation from each place presented the address and made a short speech. Mr. Lindenburg of Worcester created the greatest enthusiasm; he was able to make the proud boast that Worcester had never returned an anti-responsible. Mr. Advocate Reitz, subsequently President of the Free State, presented the Swellendam petition in the absence of Mr. Human, the member for the division. A counter-demonstration was attempted by the Conservatives, headed by Mr. C. A. Fairbridge, but it was a most feeble affair, and the chief reliance appeared to be placed on a very

<sup>1</sup> The allusion is to Lord Althorp, who carried the Reform Bill of 1832 through the House of Commons.

large number of Malays who, it is said, could be got to sign a petition against responsible government.

Every division in the constituency except Namaqualand, which owing to its distance was unable to send the reply in time, petitioned Messrs. Roubaix and Hiddingh to vote for responsible government. The Conservatives had recourse to the petition signed by Malays against this course, but eventually Messrs. Roubaix and Hiddingh considered that they had the almost unanimous voice of their constituents in favour of responsible government, and therefore voted for it. This reinforcement carried the Bill by eleven to ten.

The eastern party in despair moved that the seat of Parliament be transferred from Cape Town to Port Elizabeth 'or anywhere else.' This was defeated, and they next moved that the principle of separation be affirmed; but Kaffraria and the midlands objected to it, in addition to the west, and this motion met the same fate. A monster petition to the Queen against the Bill was then suggested, and an eastern province separation association was formed.

As an earnest of the better spirit which was to prevail when responsible government was established, Mr. Scanlen brought in a Bill to equalise the representation of the east and the west by giving two representatives to the new eastern division of Wodehouse; the responsible government party announced that, as the Responsible Government Bill was now passed, they had full confidence in the people and would support this proposal. Mr. Molteno spoke in favour of it, and in favour of having four divisions instead of two; for the election of members of the council, he further suggested that there should be a general election every five years.

The financial position of the Colony had assumed a more cheerful aspect; for the first time for many years a surplus was anticipated instead of the usual deficit. Mr. Molteno took an opportunity of making a few remarks in

regard to his action in the past, and maintained that the course which he, and those who acted with him, had hitherto adopted had been perfectly right. It was not the time to increase taxation for the sake of works such as the Colonial Secretary had mentioned, but rather to lighten it when the Colony was suffering from drought, depression, low prices of produce, and various other difficulties, and in that sense he had acted.

The Colonial Secretary introduced a Bill for the annexation of Griqualand West, but Mr. Solomon, seconded by Mr. Molteno, moved the following resolution :—

That pending the settlement of the disputes between the Government of Great Britain and the Government of the Orange Free State on the subject of the boundaries of Griqualand West, which now happily appears to be near at hand, and in the absence of all information as to the number and position of its population, information on which, as well as on other points connected therewith, has been asked for by respectful address to the Governor, the House feels that it would be inexpedient to enter this session on the consideration of any measure for the annexation of that territory to this Colony, as it would be impossible for the House to decide with any confidence, as to what political representation ought to be given to its inhabitants in the Parliament of the Colony, and on the other questions which would have to be decided simultaneously with its annexation to the Colony.

Mr. Merriman proposed a further amendment, 'That the Bill should be read this day six months.' He was seconded by Mr. Watermeyer, an out-and-out opponent of the whole measure, and it became clear that a large number of easterns and westerns of the Conservative or anti-responsible party were acting in concert with the mover of this amendment. It was evidently intended as a slap in the face to Sir Henry Barkly, who it was considered had been favouring too much the introduction of responsible government. Mr. Merriman, indeed, had voted in favour of the resolutions for immediately annexing Griqualand in every division in the preceding Parliament,

but he with other Conservatives had entirely changed round from their previous opinions. It seemed very probable that this combination, of Conservatives and Responsibles and men who followed Mr. Watermeyer, would succeed in rejecting the Bill, and after a three days' debate the Government determined to withdraw it for the time.

Concurrently with the passing of the Act for the Establishment of Responsible Government, the question of the confederation of South Africa once more came forward. Not only in Cape Colony, but in England, where Cape affairs had been followed closely by some members of the House of Commons. Responsible government was regarded as likely to be a solution of the difficulties of governing South Africa. A debate took place in the Imperial Parliament on a resolution proposed by Mr. R. N. Fowler:—‘That in the opinion of this House it is desirable that facilities should be afforded by all methods which may be practicable for the confederation of the colonies and states in South Africa.’ The proposer said that earnest statesmen had taken up the question of responsible government in the Cape Colony; if responsible government were to be introduced at all, it ought to be done by a large measure comprehending all the colonists in South Africa. The Under-Secretary, Mr. Knatchbull-Hugessen, took part in the debate and spoke in a sympathetic way of the colonists. Mr. W. M. Torrens paid a high tribute to Sir Henry Barkly's character as a statesman, as did Mr. Knatchbull-Hugessen, and the resolution was agreed to.<sup>1</sup>

The effect of the establishment of responsible government was regarded as certain to bring about a union of South Africa. Sir Henry Barkly accordingly addressed a

<sup>1</sup> In proroguing Parliament the Governor mentioned this resolution, and said that he had not thought it desirable to move in the matter himself, as the Parliament had taken no action on the report of the Federation Committee which had been appointed in the preceding session, but the matter would require early consideration at the hands of the first responsible ministry.

despatch to Lord Kimberley upon the subject of federation. He referred to Sir Edward Bulwer Lytton's despatch of the 11th of February, 1859, refusing to assent to Sir George Grey's proposals for confederation, and submitted that the question had now assumed a widely different aspect, and that 'upon the assumption by this Colony of the full responsibility of managing its own affairs, it will become both just and politic that no obstacle should be interposed to the reunion of the Free State with the parent Colony in any way it may be agreed upon.' He mentioned that Mr. Hamelberg, the representative of the Orange Free State, had informed the Federation Commission that if self-government were established at the Cape the main difficulty in the way of the Federal Union of the Orange Free State with the Cape would be removed, but had declared at the same time that the action of the High Commissioner in taking the Basutos under British protection, together with the discovery of the Diamond Fields, had modified the strong feeling which had previously existed in favour of annexation.<sup>1</sup>

To this Lord Kimberley replied, concurring in Sir Henry Barkly's views, and authorising him, if requested by the Federation Commissioners or the Colonial Legislature, to communicate officially with the Governor of Natal, and the Presidents of the Orange Free State and South African Republic on the subject, or if he thought it preferable, to sanction the convening of delegates from these states and Natal for the purpose of considering the conditions of union. The result which was very generally anticipated would doubtless have taken place had it not been that causes were already at work counteracting this effect. Other causes still more powerful were to arise out of the action of the Secretary of State, which would still further retard, if not absolutely prevent, any such result.

Bitterness was created by the mode in which the dispute

<sup>1</sup> *I. P.*, C-508, p. 12.



between the High Commissioner and the Free State in regard to Griqualand West was conducted. This led to the renewal of the feeling on the part of the Free State which had arisen when Sir Philip Wodehouse interfered between it and the Basutos, and prevented anything like an approach on the part of that state to renew its connection with the Imperial Government. At a still later stage the practical withdrawal of responsible government and the return to the personal rule of the Governor, under the auspices of Sir Bartle Frere, showed that the British Government had not yet realised and was not prepared to concede responsible government in its completeness to the Cape, and that its interference was still leading to disaster in South Africa.

The ill-advised and improper annexation of the Transvaal, together with the destruction of the Zulu power, the great force which made for annexation in the minds of the Transvaal people, at the same time removed the incentive to annexation and raised a powerful obstacle in the resentment against the injustice with which the people of the Transvaal held they had been treated. Thus two of the most unjustifiable acts of interference on the part of the Imperial Government and its High Commissioners have had their punishment. The taking over of the Basutos destroyed the incentive to the Free State to come into a union; the destruction of the Zulu power had an analogous effect in the case of the Transvaal.

After referring with approval to the passing of the Constitution Ordinance Amendment Act, and also to the Wodehouse Representation Act, by which the number of the members for the eastern districts was equalised with the number for the west, the first fruits of the mutual confidence and goodwill, Sir Henry Barkly concluded his prorogation speech by assuring members that in advocating the relinquishment of the autocratic authority by the Crown's

representative he had been actuated by no desire of escaping the cares and toils of the high office to which his sovereign had called him; but on the contrary it would still be his earnest desire to aid to the best of his ability the solution of the many interesting, yet difficult social problems which South Africa presents, and he promised co-operation with any party which possessed the confidence of the House.

The settlement of this long-standing question began to give rise to a far better state of feeling, and the western members went down to bid the easterns an affectionate farewell. In describing the occasion the press said, 'The Speaker was there almost as if radiant with youth and energy; Mr. Molteno was there as joyous and jaunty as if the weight of coming responsibilities were not on his shoulders at all.'

A great agitation now followed in the east, directed in the first place to petition the Queen to refuse her consent to the Constitution Amendment Bill, and in the second place to urge a policy of separation. It was organised and engineered by the wirepullers at Grahamstown, headed by the notorious Dean, who wrote for the 'Eastern Star.' The money was supplied by Port Elizabeth, where the question was a purely commercial one due to the fear that Cape Town would take away a part of its trade. The members for the east took no active part in this excitement; they were well aware that the men who would come into office would treat the east as an integral part of the whole Colony over whose affairs they presided, and they were unwilling to do anything to add to the excitement. The border opinion was entirely against the separation of the provinces, and a border league was formed with a view to counteracting the influence of the Separation League of Grahamstown.

The west took practically no part in this agitation with regard to separation, they left it to the east to decide whether they wished to separate or not.. As interested in

the prosperity of the whole Colony, they naturally were not desirous of seeing a portion lopped off and would therefore welcome a decision against separation, but they took no part one way or the other in the struggle. Eventually it appeared that Port Elizabeth, Grahamstown, and Colesberg were the only divisions that were decidedly in favour of separation, while the nine other divisions in the province were against it. The first-named divisions had six members of Parliament, one of whom was known to be against separation; thus the movement did not appear of very great importance, and when the consent of the Home Government to the passage of the Constitution Amendment Bill arrived, it took the heart out of the separation party completely, and the movement almost collapsed.

There was now considerable speculation as to who should form the new Ministry, and four names were spoken of; they were Mr. Southey, the outgoing Colonial Secretary, Mr. Porter, Mr. Molteno, and Mr. Solomon.

A very general desire was expressed that Mr. Porter might be able to take the office—at any rate for a time—as owing to his large official experience and his immense popularity, he would have the best chance of inaugurating the new form of government, and as soon as Sir Henry Barkly had received the Home Government's confirmation of the Act for the Establishment of Responsible Government he sent to Mr. Porter for the purpose of discussing with him the formation of a Ministry.<sup>1</sup> Owing to Mr. Griffith's refusal the Governor had availed himself of Mr. Porter's services in drafting the Act to Amend the Constitution Ordinance so as to permit responsible government being brought into operation.

Mr. Porter had already stated on several occasions both

<sup>1</sup> In Sir Henry Barkly's despatch of the 2nd of December, 1873, he mentions that he ascertained first from Mr. Southey that he did not think that there was any prospect of securing a majority in the Assembly in support of such policy as the latter would have felt bound consistently and conscientiously as Prime Minister to pursue.

publicly and privately since the question of responsible government was agitated that he never could, even if invited, form part of any administration, and he now averred that even had he not made these statements, his physical infirmities were such as to prevent him accepting such a position. He stated, however, that during the short time he might remain in Parliament any men who meant well and discovered average administrative ability, together with a fair amount of zeal, would have his hearty support, and in his opinion his support out of office might prove more serviceable to such a Ministry than any official advocacy. He informed the Governor that although he was anxious that both Messrs. Molteno and Solomon should both be in the Ministry, he thought it doubtful whether Mr. Solomon would care to take office, his time being much devoted to his own business; and that although Mr. Molteno lacked some qualities in which Mr. Solomon excelled, yet he was possessed of a remarkably clear judgment, and had always exhibited very great tenacity of purpose, and was likely to make a most successful leader.

Upon the Governor meeting Messrs. Molteno and Solomon together, it appeared that Mr. Solomon was not willing to take office, particularly if Mr. Porter was not included in the Cabinet. Subsequently he expressed his belief that Mr. Molteno was satisfied that he could form a strong Ministry without him, and would feel less restraint if he (Mr. Solomon) were not in the Ministry, and he indicated his own concurrence with these views, while he held that his abstention from office would offer the further advantage that more opportunities would be thereby afforded in the formation of a Ministry for meeting the first expectation of others. If, however, it were thought desirable that he should take part in the first Administration, and if the Governor could not see his way to relieve him of the duty, he would be willing to accept office, but would impose three

conditions : first, that he should be allowed to choose his own office, being willing that Mr. Molteno should take that of Colonial Secretary and be regarded as the Prime Minister if he desired it; second, that he should, equally with Mr. Molteno, have a voice in the selection of their colleagues and the arrangement of offices; and thirdly, that Mr. Sprigg should be offered a place in the Ministry, looking to the services he had rendered in the cause of responsible government. Thereupon the Governor refrained from pressing him any further, and eventually the task was confided to Mr. Molteno alone.

This was in accord with the general expectations and in harmony with the past records of Mr. Molteno and Mr. Solomon. The latter was, perhaps, possessed of greater quickness, more ready wit, and greater appreciation of humour and command of language, yet whether from a physical defect or a certain subtlety of mind, he was less fitted to lead the Assembly, to gather friends around him, to inspire their confidence, and at the same time to work with them. Upon several notable occasions, where Mr. Solomon and Mr. Molteno had taken different views, Mr. Molteno had distinctly carried the support of members with him in opposition to Mr. Solomon. The country party always regarded Mr. Molteno as its natural leader. Mr. Solomon's extremely pronounced views on the native question might also have become embarrassing had he become premier. As the Governor subsequently said, Mr. Molteno had been called by the almost unanimous voice of the country to the office which he held. From 1860 onwards he had always moved in his own name resolutions in favour of responsible government, which he had advocated from the earliest establishment of representative institutions.

A very important newspaper,<sup>1</sup> whose views were largely opposed to Mr. Molteno, and which was generally found in

<sup>1</sup> *The Standard and Mail.*

opposition to him, nevertheless wrote as follows. Looking to the source whence it came, the description would appear to be a fairly accurate one and without suspicion of a favourable bias:—

The announcement by a contemporary on Tuesday that Mr. Molteno had been charged with the construction of the first responsible Ministry in this Colony will not anywhere have been received with surprise. To ourselves it had always appeared a matter of course, and we should have regarded it as an evil omen for the new *régime* if it had been initiated by an unconstitutional act, and we should have so considered any attempt to place another than Mr. Molteno into the office of first Premier of the Cape Colony. 'Brave men lived before Agamemnon.' It is true that others, and of prior earned reputation to Mr. Molteno, fought the battle of responsible government ever since the establishment of our Parliament, but at all events he has been one of its best and doughtiest champions, and has been able to bring his labours to a victorious issue.

There is very much in the public character of our future Prime Minister, which we, though not exactly soldiers fighting under his banner, can admire and respect. He is steadfast in pursuit of any object he sets before him, but he does not seek to obtain it by chicanery and double-dealing. At times rash in debate, and taking an almost childish pleasure in 'riling' certain individuals among his opponents, he is fair and manly, and has more than once and upon important questions had the moral courage to retract a vote previously given, when he found that his conclusions had been based upon false premisses. An idea, however, once clearly fixed in his mind, and with it a conviction of its truth and justice, he will fight for it, and repeat the attack again and again, as if determined to weary out opposition if unable to overcome it by persuasion. He probably thinks like Cobden that it is more important to read the newspapers of the day than all the tomes of learned law ever written. But nothing passing around him in the world—still less anything in South Africa—escapes his notice; strong, sound common-sense, supplies in him the speculations of a more philosophic mind; and good vigorous sentences, wanting as they may be in ornament, express with force and fluency the ideas that are in him.

From the subsequent support which he received in the House, we shall see that his selection was amply justified and met with the approbation of the country at large. The

enthusiasm which marked his first visit to the eastern province showed that even where he might most have expected opposition he was welcomed as a worthy head of the Government. The independent support which Mr. Porter and Mr. Solomon both afforded the new Ministry was of great value to its stability and its power, and enabled it to pursue a policy of vigorous development of colonial resources.

After a short delay Mr. Molteno announced that he had been able to form a Cabinet. The Hon. Dr. White, member of the Legislative Council, would be treasurer; the Attorney-General was to be Mr. J. H. De Villiers; the Commissioner of Crown Lands and Public Works, Mr. Abercrombie Smith; and the Secretary for Native Affairs, Mr. Charles Brownlee, who consented to resign the Civil Commissionership of King William's Town in order to accept the post. Mr. De Villiers and Dr. White, like Mr. Molteno himself, had long advocated responsible government. Mr. Smith was one of its leading opponents on the ground of a change being premature, but who now sought to make the best of an accomplished fact. Mr. Brownlee, who had not hitherto taken a part in politics, was well known to be a man of ability, and better acquainted with the language and customs of the natives of the eastern frontier than anyone else in the Colony. With regard to the functions which these officers discharged, it had always been the practice for the Colonial Secretary to introduce the Budget, and Mr. Molteno continued henceforth to combine with his own the all-important duties of Chancellor of the Exchequer.

The announcement of these names was received generally with satisfaction, and a widespread disposition was expressed to give the new Ministry a fair trial, though the more bitter of the Conservatives still made various attempts to disparage this Ministry and to embarrass Mr. Molteno by spreading various untrue and absurd reports, which were, however, of little avail. The people of the midland district

somewhat regretted that no member of the Ministry had been selected from among them, but they recognised that owing to the small number in the Cabinet, it was not easy to select a member from every part of the Colony, while it was some consolation to them when they observed that even Port Elizabeth was unrepresented. The Hon. Mr. Joseph Vintcent had been offered the Treasurer-Generalship, but was forced to decline on account of ill-health; while the Secretaryship for Native Affairs was offered to Mr. Glanville, the member for Grahamstown, but owing to business considerations and other causes he was unable to accept it.

The Colonial Secretary was to have charge of matters political, ecclesiastical, and educational, of the Budget, various appointments, miscellaneous services, diplomatic correspondence, the town and border police, the post office, gaols, convicts, and asylums. It was so large a field that it was confidently expected that a new Minister would be appointed in order to deal with some of the work, which seemed too much for any one man. The Responsible Government Act was promulgated on the 29th of November and the new Ministry were appointed in the 'Gazette' from the 1st of December. This, however, being Sunday, they took office practically from Monday, the 2nd of December, 1872. Its general effect can best be given in the words of Sir Henry de Villiers:—

The question was brought annually before Parliament, and at first there were large majorities against any change, but Mr. Molteno's indomitable energy and force of character carried the day in the end. He had an infinite faith in the good sense of the people of his adopted country, and never wavered in his belief that they might safely be intrusted with the management of their own affairs. . . . The Bill for the Introduction of Responsible Government, which was drafted by myself<sup>1</sup> at Mr. Molteno's request, was very simple in its terms. It provided for the appoint-

<sup>1</sup> This refers to the Act of 1872. The Bill of 1871 was drafted by Mr. Porter as we have seen on a previous page.



ment by the Governor of five officials, viz. :—a Colonial Secretary, an Attorney-General, a Treasurer, a Commissioner of Crown Lands and Public Works, and a Secretary for Native Affairs, who should all be members of the Executive Council, and eligible as members of either House of Parliament. It further provided that a Minister, on being elected as member of one House, should have the right to take part in the debates, but not to vote in the other House. This latter provision has proved a very useful one, and has given successive Premiers a larger scope than they would otherwise have had in the selection of their colleagues. Upon the proclamation of the Act, it was considered to be a matter of course that Mr. Molteno should be asked to form the first Ministry.

The provision which enables Cabinet Ministers to speak in either House of Parliament was unique in the constitutions of the Colonies, and it has subsequently been followed, owing to its success, in Natal.<sup>1</sup> It appears to have originated as follows. When representative institutions were introduced in the Cape, a special provision in the 79th section of the Constitution Ordinance forbade Cabinet Ministers sitting in Parliament; they were nevertheless empowered to appear and speak in both Houses. This provision had worked well. Mr. Porter, in introducing the Responsible Government Bill, supported it for the following reasons :—‘The Cabinet in England consists, I think, of sixteen members, besides a host of Under-Secretaries, many of whom have seats in Parliament, so that nothing of this kind is necessary there. But we have a small body of Ministers—only five members . . . and I think we should like these five officers to sit here to speak, to explain, to enforce . . . For suppose the Minister for Crown Lands and Public Works to belong to the other House, and information should be required here in connection with his office, would it not be better that he should be able to come here and explain himself, rather than that a colleague sitting

<sup>1</sup> See Law 14 of 1893, of Natal also Todd's *Parliamentary Government in the British Colonies*, 2nd edition, p. 61.

in this House should go to him and get 'crammed' before he could give us the information or explanation required?'

He explained that the section constituting the offices of Commissioner of Crown Lands and Public Works and Secretary for Native Affairs followed an exactly similar provision in the Act constituting the Dominion of Canada. It is interesting to observe the confidence which by this time prevailed that responsible government was to be a reality and not a sham. An occurrence such as the dismissal of a Ministry possessing a majority in Parliament was looked upon as an absurdity. Mr. Porter said:—'I for one do not anticipate that after we have passed responsible government any Governor will dare to oppose the principles of responsible government which will then be carried out, and render it impossible for any Ministry to keep in power in opposition to it. It is contrary to reason to suppose it.' He was too sanguine, as the sequel will show.

## CHAPTER IX

## ADMINISTRATION OF RESPONSIBLE GOVERNMENT. 1872-1873

Policy of Cabinet—Colonial control of Natives—Solution of South African Troubles—Sir George Grey's Policy continued—Education—University—Railways—Extension of Boundaries—Session of 1873—Seven Circles Bill—Finances—Review of Session—Success of Measures—Visit to Eastern Provinces—Enthusiastic Reception.

MR. MOLTENO had at last seen the change brought about which he had advocated from the first days of the Parliament itself. It was now for him to make good his reiterated statements that the Colony was able to manage its own affairs, and was not making a fatal mistake in relying upon its own sons rather than upon talent imported from elsewhere.

In conjunction with Mr. Porter and Mr. Solomon he had resisted the efforts of the autocratic Governor, Sir Philip Wodehouse; we have followed the struggle in these pages, and have seen that the battle was well fought and well won. These statesmen, who knew the country and its sturdy inhabitants well, clearly foresaw and predicted that though the most law-abiding of populations, yet they would not submit to be taxed and governed by a Government out of touch and sympathy with them. As Mr. Molteno said in Parliament:—'This population is a quiet and long-suffering one, but if taxes and contributions are to be wrung from it by a Government with whom the people are not in sympathy, they would not endure it, and only overwhelming force could compel them.' They saw that the time had come when the Government could be carried on successfully only by men who thoroughly understood the people, and whose





long experience among them had led to a sympathetic consideration of their difficulties. Well would it have been for England and for South Africa also, had these wise words been taken to heart and acted upon. A few short years were to see them disregarded, and the principles they enunciated set at naught.

But for the present English statesmen were in agreement with those of the Cape, that an expansion of the powers of self-government was a better remedy for South African troubles than the reactionary policy of Sir P. Wodehouse, which aimed at making the nominee Executive more powerful than ever over a single Chamber which was also to be largely nominee. Such a policy, which had been carried out in some cases in the American colonies before the revolutionary war, must have had a similar result in South Africa, and the revolt of the South African colonies would have been merely a matter of time.

Mr. Molteno hoped and intended, so far as he was concerned, to utilise these larger powers to the full, and to surrender no particle of the freedom which had been accorded; he held that it would be unworthy of the Colony not to protect most jealously and exactly the freedom which had once been granted, and we shall ever find him a most strenuous guardian of the rights of control over all affairs which had once been entrusted to his Government. The old days of careless, costly, and inefficient administration were to be over. Public works were to be carefully planned and economically executed; the terrible maladministration represented by the old Road Board and Public Engineers Department was never to occur again if he could prevent it.

He intended to continue that policy of developing the material resources of the Colony which had been begun by Sir George Grey, a statesman with whom he was in full sympathy. Sir George has told the present writer how he discussed with Mr. Molteno all the difficulties of government

in South Africa, how he found him vigorously attacking all the problems which the development of his own district of Beaufort had presented, and using the isolation and solitude of his life there for the calm consideration and maturing of plans for the good of the country, and the improvement of its government and administration.

There are some men who need the rush and stir of busy places, the constant contact with crowds of other men, to stimulate their natures to their fullest extent. There are others who work well and to best effect in the secluded retirement of quiet contemplation, who derive vast resources of strength from the lonely contemplation of the face of Nature, from the quiet communion with her and the undistracted calm thus secured. Mr. Molteno's nature was one of the latter. It is indeed surprising that he should have preserved such power and energy and such capacity for dealing with the difficult problems of government, and also such originality and self-reliance.

It is a remarkable case of the elaboration and perfection of qualities already inherent in a nature, and not derived, as is usually the case, from the immediately surrounding environment. Mr. Molteno left Europe when quite young, and only returned to it for an occasional visit, and he retired to Beaufort at the age of twenty-nine. Whence, then, did he derive the clear, correct and incisive ideas of good government, of political wisdom, and of constitutional freedom, which came out so strongly in his maturer years? Most characters would have gone back, would have retrogressed, under such isolation in the desert as that to which he voluntarily subjected himself.

Not so with Mr. Molteno ; his character constantly grew and expanded ; the more he relied upon himself and his own sound judgment the sounder became his views, and the larger his powers. It now happened to him as it happens to few men, to have the power and opportunity of carrying into effect those views and principles which he had con-

sistently advocated during a long political career, and which had been matured in his mind by reflection and consideration, the practice of which had been facilitated and encouraged by his life in the solitude of that most characteristic of South African districts, the great Karoo.

The principle of responsible government having been won after a hard and uphill fight, it was characteristic of Mr. Molteno's large and liberal mind that he bore no ill-will against those who had been his bitterest opponents in the struggle. He was ready to make a new departure, and to enlist the best men of the Parliament or of the country in the work of advancing the interests of the Colony. He recognised the good qualities in the characters of the men who had opposed him.

Among the most active, able, and uncompromising of these was Mr. Abercrombie Smith, member for a border constituency. He had enjoyed the highest mathematical training which Cambridge could give. Mr. Molteno recognised how valuable this would be in the consideration of the various estimates which would have to be made in the purchase of the private railways and telegraphs by the Government, and in the determination of the cost of the large measures for the development of the country by means of great public works which he had in contemplation. He invited Mr. Smith to join the Ministry, and the latter met the approach in the spirit in which it was made, and acceded to his offer.<sup>1</sup> He endeavoured to make the Ministry as representative of the country as possible, and with this view he had invited Mr.

<sup>1</sup> Sir Henry De Villiers writes as follows :—' He gave offence to some of his party by appointing as Commissioner of Crown Lands a gentleman who had opposed the introduction of responsible government, but he defended the appointment on the ground that opposition to the introduction of the new system did not imply inability or unwillingness to serve the country after the change, and that it was his duty to appoint the best men he could find, provided only they loyally accepted the altered form of government. Mr. Abercrombie Smith, by his career as Minister and subsequently as Auditor-General, fully justified his selection.'



Glanville, member for Grahamstown, to join him, an invitation which, as we have seen, the latter gentleman was unable to accept, being on the point of departure for England.

Mr. Molteno was strongly of opinion that one at least of the Ministers should always be a member of the Legislative Council, and he accordingly requested Dr. White, M.L.C., a staunch advocate of responsible government for many years, to become Treasurer-General. The burden of the Treasurer's work, however, fell on the Premier, who himself made the annual Budget speeches in the Assembly, and generally kept a keen eye on the finances of the Colony.

One of the strongest objections which had been urged against responsible government was that it would lead to a native war by unsettling the minds of the natives who were supposed to prefer direct Imperial control to the rule of colonial politicians. In order to satisfy the natives that a change in the form of government would not involve a change of policy towards them, Mr. Molteno selected as his first Secretary for Native Affairs a man who enjoyed the complete confidence of the native tribes generally. Mr. Brownlee had from his childhood lived amongst the natives; he understood their habits and customs, and his appointment had the very best effect on them. Mr. Brownlee had been born in the Colony, and in his appointment Mr. Molteno made good what he had always averred—that there was ability and talent in the Colony which was available for its government if only it were allowed the opportunity of rising to high office.

It was, however, in the appointment of his Attorney-General that Mr. Molteno gave the strongest example of his clear insight into character. John Henry De Villiers was of colonial birth and parentage; he had represented, since 1867, the western constituency of Worcester, and in this short time he had displayed considerable political aptitude. He had supported responsible government, but

had not by any means been a constant supporter of Mr. Molteno, who nevertheless recognised his powers of mind and character, and selected him as his first Attorney-General. His subsequent career has justified in the fullest manner his selection, and on the retirement of Sir Sydney Bell, Mr. Molteno raised him to the post of Chief Justice, a position which he has filled with an ever-growing reputation of the highest character for independence, high legal ability, and irreproachable impartiality; a reputation which is as great among the members of the Privy Council, before whom his judgments have come by appeal from time to time, as it is among those who are in constant practice before him.<sup>1</sup> The fact that he represented a south-western district was also an advantage, as it gave that part of the country its due share in the highest administrative body of the Government.

It was hoped and believed that at last South Africa was to be entrusted with the management of its own affairs, and was to be allowed to work out its own destiny without that unwise and ill-informed interference from outside, which had been so fatal in times past. The Secretary of State had been most unreserved in the manner in which he desired to entrust all the affairs of the Colony to colonial hands, and when the Governor suggested that the question of native affairs on the borders of the Colony should be reserved for Imperial control, the Secretary of State, Lord Kimberley, pointed out that he would not draw such a distinction, and all must be entrusted to colonial hands, who must be held responsible for the defence of their own borders.<sup>2</sup>

Had this remedy of responsible government been fairly tried, it would have been a solution of all the troubles of South Africa. The matter was being keenly watched by

Sir Henry De Villiers is now (1899) an unpaid member of the Judicial Committee of the Privy Council.

<sup>2</sup> *I. P.*, C—459, p. 66. *Earl Kimberley to Sir H. Barkly*, the 17th of November, 1870.

the neighbouring states, the Transvaal and the Orange Free State. The latter had officially declared that it would contemplate reunion with the Colony if responsible government were granted and accepted, but not otherwise. The President of the Transvaal had written to congratulate Mr. Molteno on the inauguration of responsible government, and had specially mentioned the union of South Africa as a result to be eventually looked for from the development of that principle.

Government House, Pretoria : December 27, 1872.

SIR,—I cannot refrain from conveying to you and the new Ministry of the Cape Colony the kindest congratulations of myself personally as well as of my Executive and Government on your and their auspicious assumption of the reins of the Government as the first responsible Cabinet.

I feel assured that the change brought about in this respect by the united action of her Majesty's representatives and the representatives of the people of the Cape Colony, will tend to the good of South Africa at large as well as the Cape Colony in particular; while at the same time I am confident that it will direct the spirit of the nation in that proper channel which will ultimately lead to a closer union between the different colonies and states of South Africa.

Accept the assurance, Sir, that nothing will give me greater pleasure than to see an intimate and friendly relationship maintained between our respective Governments.

With best wishes for the prosperity of the Cape Colony and the success of your Ministry,

I have the honour to remain, Sir,

Your obedient servant,

THOS. BURGERS,

*President S. A. Republic.*

The Hon. J. C. Molteno,  
Colonial Secretary.

Mr. Molteno now believing that the Cape was to work out its own destiny, began to direct its career. With the energy which always characterised him he set to work at once to devise measures for the advancement and development of the country. He took up the thread of policy which had been inaugurated in South Africa by Sir George

Grey, but which had been interrupted since his departure from African shores. An interruption due to the natural difficulties caused by a succession of bad years when drought and other curses afflicted the country. But above all to a form of government in which the people had no confidence, and which the Parliament had refused to entrust with the requisite sums of money on the ground that the administration of the smaller funds for the ordinary purposes of Government had been of a most unsatisfactory character. Mr. Molteno, as we have seen, consistently led the opposition to entrusting the then Administration with any funds which were not absolutely necessary for carrying on the Government of the country.

Sir George Grey had inaugurated a policy which, by looking to the development of the material resources of the Colony, tended to make the European races unquestionably the superiors of the uncivilised black races; until this was done, there would be constant and sanguinary struggles between the two, as had been the case before his arrival in the country, a state of things most disastrous to both white and black. He further regarded it as of the utmost importance that the white races being pressed upon by barbarism on all sides, should have all those aids for maintaining their efficiency and their civilisation at a high level, and with this in view, he attached the greatest importance to education. He saw that those far away on the frontier could not send their sons back to Cape Town, but must have an easier means of access to learning for their children; for this purpose he founded the Grey College at Bloemfontein, and nobly has it been carried out. In that wide spirit of liberal and wise policy he saw that the black races, though inferior, must have justice meted out to them, and as far as possible must be raised to a higher level and made of use to themselves and to the community, and with this in view, he founded those educational and industrial establishments

of which Lovedale is the chief, where no mere mental veneer of book learning was to be acquired, but a knowledge of useful manual arts, in which the natives were utterly deficient, but which when acquired once would be of service to themselves and to the community, and would offer a secure basis for further mental and social advance.

When Sir George Grey had attempted this policy, Mr. Molteno had been one of those who actively entered into and supported his views, which largely coincided with his own. We find him taking up all these threads in the earliest days of his Ministry. As soon as he took office, he appointed a commission to examine into and report upon a scheme for the establishment of a university. He perceived that it was a vital question for the inhabitants of the Cape Colony that they should have the benefits of education as fully and freely as it was possible to give them.

The rural population spread over wide areas, and living in isolation, was so situated as to necessarily lose the greater part of that knowledge and mental training derived from the mere fact of being brought up in a more populous neighbourhood and with other individuals,—a fact exemplified in every European country when we regard the superior intelligence and quickness of perception of the town population compared with that of the country, and extending even to the entirely uneducated, as may be proved by the ready wit and repartee of the neglected *gamin* or street arab of the towns. That education, then, which the European takes in unconsciously with his mother's milk, is wanting in the rural population of South Africa, and we must look to direct education to correct this and compensate for the absence of other influences.

It may be said that this is not possible, but we may derive great encouragement and hope from the example of America, where the population is very scattered, and yet the system of education has been such that it is now the newly arrived emigrant from Europe who is the ignorant man, and the

country as a whole is the best educated that the world has yet seen, while no one will complain that the American is dull or wanting in intelligence. Mr. Molteno saw that if the inhabitants of the Cape were to hold their own with the newly arrived European emigrant, who might be far inferior to them in general character, education must be provided and must be efficient.

In 1858 an Act had been passed establishing a Board of Examiners which *inter alia* granted first, second, and third class certificates in literature and science, and certificates in law and jurisprudence, and in the theory of land surveying. But it was felt that the time had come to make a step in advance. Mr. Molteno introduced a Bill in the first year of his Ministry, to establish an examining university for the Cape of Good Hope, and this Bill became law; the university has done excellent work, and the words of the Governor in his opening speech have been, and continue to be, true:— 'It is gratifying to me to be able to inform you that there exists a growing desire on the part of the inhabitants of this Colony for participating in the benefits of the educational grants provided by the law.' Mr. Molteno's knowledge of the country and its inhabitants guided him correctly; his prescience was amply justified, judged by the results which have thus far been attained, and this Act may be looked upon as an unqualified success.<sup>1</sup>

During the same session provision was made for aiding district schools for the benefit of the rural population, and as a further step in the direction of the higher education, an Act was passed in 1874 by which assistance on the 'pound for pound' system has been granted to the leading colleges throughout the Colony in order to establish professorships and lectureships. In 1875 by Act 9

<sup>1</sup> In 1874 there were 70 candidates for the higher examinations; in 1884 the numbers had risen to 786, and in 1895 to 3,877, while a total of 28,860 had been examined since the commencement of the university to the year 1895. See *Report of University for 1895*.

of that year, the object of having one strong university for the whole of South Africa rather than a separate university for each colony or state was more clearly brought out, and the other colonies and states were admitted to the advantages conferred by the university. Mr. Molteno had also the personal gratification of seeing his own sons graduate in this university, and in one case with the highest honours.

In regard to the material development of the Colony he was equally active. The Governor's speech announced the purchase of the Wellington Railway, the extension of the existing railway from Wellington to Worcester, and from Port Elizabeth to Bushman's River, while a larger scheme was foreshadowed when the necessary surveys had been accomplished. Provision was also made for extending the system of electric telegraphs to all the principal towns of the Colony, while proposals for a bridge over the Orange River and an ocean telegraph were placed before the House. The question of immigration was also dealt with.

In regard to constitutional questions, the mode of election of the Upper Chamber had long been considered unsatisfactory, based as it was upon a system of two provinces which combined as a whole to elect the respective representatives. It was now proposed that the Colony should be divided into seven circles each electing three members. The irksome house duty was to be abolished, the Frontier Armed and Mounted Police was to be increased and divisional police to be created. The natives were not forgotten, and the Governor was able to announce that the trouble between Kreli and his son-in-law Gangalizwe, which had threatened the peace of the frontier, was settled by the friendly intervention of the Cape Government; and at the same time the announcement was made that the natives would no longer be left to themselves, but that the jurisdiction of the Colony would be gradually extended over the tribes who dwelt between the Kei and the Natal border.

The above programme was indeed an ambitious one, and constituted a very clear indication and proof of the changed spirit in administration which had been introduced with responsible government; when compared with the previous ten years of stagnation, it was startling indeed, and the most sanguine might doubt whether it were possible to make such rapid advance. There was, however, a very hopeful spirit abroad. The country as a whole had welcomed the change, and the old bitterness had died out, except in so far as it was kept alive for other purposes than the ostensible ones which were publicly put forward.

Although the Ministry had only been in office since the 2nd of December, 1872, yet when Parliament assembled on the 28th of April, 1873, not only were all these matters dealt with in the opening speech, but they were in such a state of preparation that on the Monday when Parliament first met for the despatch of business, no less than seven Bills which had been previously published in the 'Gazette' were read a second time. The manner in which the business was introduced, and the celerity with which matters were dealt with by the new Ministry, were in powerful contrast to the course which had been pursued in previous Parliaments, and even the hostile 'Standard' went so far as to commend the activity of the Government in placing with such despatch the work of the session before the House.

The debates were full of vigour and interest. The Ministry enjoyed an enormous advantage in the independent support of the two most powerful speakers and debaters, as well as most able thinkers and statesmen in the House, Messrs. Porter and Solomon. Nor had they any serious opposition to contend with. Mr. Paterson had been elected for Port Elizabeth, and both in the interest of the small party who had elected him and following his own bent, he lost no opportunity of making attacks upon the Ministry; but they were received for the most part in silence, and he



found it impossible to continue them vigorously in the face of such a reception. The two 'wise men of the east,' the Ayliffs, in their hearts welcomed the change, and were inwardly satisfied—they were never, however, so far convinced that any good could come out of the west, as to be able to give a support to western measures.

The old sore between east and west was really healing up very rapidly; indeed it was only Port Elizabeth's fear of Cape Town getting a larger share of the country trade which kept it open at all—it did not interfere in any way with the harmony of the session. An abortive bill was drafted by Mr. Paterson and introduced by Mr. Christian in the Council. It was entitled 'A Bill for establishing Provincial Governments in the Cape of Good Hope.' It never reached a second reading, as it was ruled out of order on technical grounds. A similar Bill introduced by Mr. Paterson in the Assembly was not seriously discussed, Mr. Solomon, the principal speaker against it, saying that responsible government must first be allowed a trial in Cape Colony before all the colonies and states were asked to combine. Paterson also introduced a resolution that all public moneys should be spent on east and west in strict ratio to the revenue derived from customs and land in each province respectively; this was negatived by twenty to thirty-two.

When the Responsible Government Act was passed the east and west agitation had, as we have seen, been temporarily revived by Port Elizabeth and Grahamstown, and a gigantic petition was sent to her Majesty praying for separation. After consideration of the petition, of a Minute signed by Mr. Molteno as Premier, and of other representations, a courteous but unfavourable reply was received from the Secretary of State, Lord Kimberley, by whom they were referred to their own Parliament. A phrase in Lord Kimberley's reply excited considerable feeling in the eastern districts, for it led the petitioners to infer that the Minute

of Ministers had misrepresented the facts. As soon, therefore, as Parliament assembled the whole correspondence was called for, but when it was laid on the table of the House the agitation at once collapsed and the question dropped. Though no public statement was made, it was privately admitted by members who would have felt obliged to support even a weak *prima facie* case, that the Minute of the Ministers was 'too true' to admit of any further action being attempted.

The limited character of the opposition which the Ministry experienced was well illustrated in the division on the most important measure of the session, the Constitution Amendment Bill, which was carried by thirty-five to sixteen. The minority was composed of the rump of the eastern party, represented by the Ayliffs, Paterson, and De Wet, and the Conservative party, represented by Manuel and Stigant, and the free lance, Merriman.

The attitude of Mr. Porter towards this Bill is especially interesting. When the question of the principle of elections for the Second Chamber was discussed in the old Legislative Council, before representative institutions were granted, there was a strong feeling that it should be elected by the Colony as a whole, acting as one constituency. This view however was opposed by Mr. Koch and by Mr. Porter, the then Attorney-General, and the latter's opinion was sent home; it was followed by Earl Grey in drafting the Constitution Ordinance for the Colony, and resulted in the creation of two large circles for the election of members of the Council. In supporting the present measure, Mr. Porter said that he still held to his opinion, and desired now to bring it into accord with the change which had taken place since it was given in the circumstances of the Colony, which had increased in wealth and in population, while the distribution of that population had considerably altered. He now wished to see seven circles.

Mr. Molteno's Ministry considered that an arrangement by which, for the purpose of electing the Legislative Council, the Colony was divided into two constituencies of almost equal power, was a constant source of danger, as it might at any time lead to an almost equal division of parties on purely territorial lines. They had sought therefore to prepare a scheme which would remove this serious defect without materially altering the number of the Upper House or their qualification. Every effort was made to secure a satisfactory grouping of the Colony into three or five constituencies or provinces; but though a proposal for five provinces was worked out in detail, it was found, as well as a three-province scheme, to be open to very serious objections; still it was deemed essential that there should be an odd number of provinces in order to render equality of parties on territorial lines impossible, and after much consideration a scheme to divide the Colony into seven fairly equal circles seemed to meet, as far as possible, every difficulty.

Under the two-province system the elections had practically fallen into the hands of two centres, Grahamstown and Cape Town, which could at a general election control rather more than half the seats in their respective circles, and on the occurrence of any casual vacancy, their influence was so supreme that the country districts took no interest in the election. Thus it was possible to have the whole Council elected by those two centres, should several vacancies occur after the general election.

Mr. Paterson opposed the Bill on the ground that it did not create a Second Chamber resembling the House of Lords. Mr. Molteno rose to reply to him, and pointed out that the Colony did not possess the elements of an aristocracy which was a natural growth in England. He said in effect :—

In this Colony we have to found a Second Chamber on the principle of representation, and this is a Bill to make that representation real and effective, so real as to excite the interest

of the masses of the people. We have found this real interest and close connection with the people the strength of one House, and we shall find it equally the strength of the other House. It is the only element we can rely upon in the absence of any other basis for a Second Chamber.

And he pointed out that he desired the Council to be a real authority and an influence in the country, as it was a serious danger for a body with so much power to be out of touch with the people. In fact the areas were far too large to make it possible for a candidate to canvas the whole area, while the expense was very great, and the interest taken in the election was as a result very small.

Naturally Grahamstown did not relish the loss of its old predominance, and made an expiring effort to preserve it; it may be said to have been the last protest of the old separation party, who were now wise enough to sink their former differences and work for the Colony as a whole, and with results of the greatest value.

Mr. Molteno and the men who worked with him relied upon that sound principle that the greater the interest of the people in their representatives, and the closer they were in touch with them, the more valuable were the results of representative institutions likely to prove. Mr. Porter said, in supporting this Bill :—

I think this (increase of interest on the part of the electors) a most important fact. I have called on former occasions, and I call again, the Government of this Colony, the great high school of the Colony, for the political education and advancement of the people; and now, if we hope to see the people take year by year a greater interest in these questions, and if we were not bound up with the idea that even now we see the symptoms of the result of the seed which has been sown lately in this House in reference to responsible government, leading people to take a greater interest than they did before, I should regard all these constitutional matters as comparatively unimportant.

How right and wise were these sentiments! Why has the Government of South Africa shown so many

disastrous failures? Simply because these principles have been neglected—the strong character of the people is not expressed in newspapers or through channels easily accessible, and it has therefore been disregarded and the machinery of government has got out of touch with the people. Mr. Molteno and others who worked with him saw and realised this danger, they urged that responsible government and its unfettered development throughout South Africa would have done all that was needed; but those in high station, with little knowledge and less discretion, followed the other principle: they wished to coerce and not to lead—disaster only could and did result both to themselves and South Africa.

The Bill, however, was not to become law this session: it went up to the Council, where it was looked upon with disfavour; the old Conservative party was very strong there, and one or two western men such as Mr. Neethling had bound themselves by an unwise compact, in connection with the abolition of the sub-guarantee, with some eastern members. It was opposed on the ground of privilege. Eventually the votes were even, and the President, Sir Sydney Bell, a fine old Conservative, gave his vote for its rejection.

Ministers, though not members of the Council, were permitted to address the Council, but not to vote, and Mr. Molteno made an excellent speech on this occasion. Among other arguments he said, referring to the feeling between east and west which was so strong in the Council:—

Would it not be better for the Colony, he asked, if that feeling were softened down, if not entirely removed, and the Bill the Government had prepared was to assist in effecting that purpose? When he came there, he noticed that east and west would not sit together, but sat facing one another, as if they were enemies, instead of mixing together as representatives of a common country. He did not know how to account for it, but this question of east and west made people at a distance believe that these parts of the country were inhabited by different peoples. He had never been more surprised in his life than when, during his recent visit to England, he heard it seriously contended in the House of

Lords that the west was peopled by the Dutch, and the east by the English. Why, everybody ought to know that several important districts in the east, such as Graaff Reinet, Colesberg, and others, had a population as much Dutch as any place in the west . . . . He thought all who desired to promote the well-being of the country should join in any effort made to remove those things that tended to keep up jealousies, and to do everything in their power to promote the unity of feeling that ought to exist among people having their homes in the same land.

Another important measure, the Bill for Establishing a University, was passed by acclamation, and even Paterson said that Nature had selected Cape Town for the home of the university by her rich favours bestowed upon it. The beauty of its scenery and the splendour and grandeur of the great mountain which overshadows it are a source of inspiration to all who regard it. In order that we may know and appreciate the wise aims and liberal principles which guided the men who at this time had the shaping of the history of the Colony, we may quote what Mr. Porter said in supporting the University Bill which he had been largely instrumental in drafting :—

We are all going in for material progress ; but I would implore the House, as I would implore the country, to bear in mind that between material progress and the cultivation of the mind there is a close connection, and we ought not to sever the two by any means whatever. Let us have railways, it is good ; let us cultivate the soil, that is good ; let us also cultivate the mind. It is a curious thing that in that country in Europe in which one would say from its history material progress and material prosperity had been the great end and object of the people, and that they had devoted the whole of their Teutonic energy for the purpose of accumulating wealth—I speak of Holland ; it is a curious thing, I say, that the merest smatterer in the literary history of Europe knows that Holland has produced a far greater number of highly learned men than any other population of the same extent on the face of the earth, and I cannot disconnect the two things. I cannot say that Holland was great and prosperous, and being great and prosperous that she then turned her attention to intellectual progress. She became great and prosperous because she had previously turned her attention to intellectual progress.

Mr. Molteno's heavy task of inaugurating a new system of Government and making the necessary expansion of all the administrative departments of the Government was much lightened by the flourishing condition of the finances. The revenue had shown a large expansion. For the long period of years between 1861 and 1869 the Colony had been stationary if not retrograding. In 1861 the revenue was 572,417*l.*, and in 1869 558,187*l.*, and in the year 1870 the deficit balance on the ordinary revenue and expenditure account was no less than 1,055,000*l.*; but in 1872 the revenue had totalled 1,039,886*l.*, or an increase over 1871 of nearly double what it was in 1869.

Mr. Molteno was not to be led away by the flourishing figures; he desired to proceed with caution, and he acted upon the sound principle that those loans which had been incurred to meet the ordinary expenditure in bad years should be paid off now that the revenue was beyond the expenditure, and in this manner during 1873 and 1874 permanent loans to the amount of 235,000*l.* were paid off out of revenue. Mr. Molteno said that he believed that—

the prosperity which is now attending us, although there may perhaps be some slight reaction, will most likely prove of a more permanent character than any we have yet seen, but at the same time I am not one of those who think that we should madly rush into every kind of expenditure without considering what we are about. That is not my character and temperament, although I think no one can say that I am averse to any reasonable measures for pushing on the progress of the country. . . . A cautious policy is best, and I do not agree with those who cry spend, spend, spend—do anything so long as you get rid of the money; I want to see that we shall get something for our money, I do not want to see it recklessly thrown away.

And again, when speaking at Grahamstown :—

It should be remembered that it was not an easy matter after a general standstill of some seven or eight years to organise things, and though they now had plenty of money to spend, it was not easy to spend it all at once to the best advantage.

Mr. Molteno's forecast was borne out by facts, and the country has never again approached the condition it was in during the disastrous period of 1861-69. The prosperity which now came to it was owing to various causes. The trade and traffic of the Diamond Fields was a potent factor, so potent that it has often been thought to be the sole factor ; but this was not so. Wool had risen during 1870-73 from 50 to 75 per cent. in value, and being the staple product of the country the rise in its price was a more universal benefit than any other. There was also the impetus given to all development by the active policy of the Government, and by the expenditure of the amounts borrowed on loans for railways,—a somewhat dangerous form of prosperity, no doubt, were not the work undertaken remunerative either directly in the payment of working expenses and interest, or in the more subtle form of a general benefit to the development of the country.

The works undertaken by Mr. Molteno were successful in both ways, and have contributed enormously to the maintenance and increase of that prosperity the beginning of which was a small surplus carefully husbanded and utilised. Well was it for the Colony that its interests were in the hands of such an able administrator and cautious yet wise financier, and to this fact in a large measure it was due, that when financial disaster overtook the Australian and New Zealand colonies owing to their having over-mortgaged their resources, the Cape credit stood in the proud position of being second only to that of England herself.

Taking a review of the first session, a vast amount of work had been done: railways to Bushman's river and the Worcester had been authorised, and surveys for railways to Beaufort and Graaff Reinet. The regulation of railway extension in Namaqualand had been effected. A definite settlement had been arrived at on the vexed question of main roads management, which had apparently been a hopeless



task for years past. Amendments had been made in the law of 'masters and servants,' the law of inheritance, the law of wills, and the duties of trustees and executors; a Copyright Bill had been passed, as well as the University Act, the ocean telegraph and inland telegraph Acts.<sup>1</sup>

The erection of New Houses of Parliament was recommended by joint committees of the two Houses. A subsidy had been voted to the Donald Currie line. The Constitution Amendment Act had been discussed and passed in the Assembly. No less than thirty Bills had been passed, and yet the session was the shortest on record.<sup>2</sup>

Parliament had undoubtedly worked with far more comfort than formerly; there was no longer the chilling influence of officialism thrown over the debates, and it was no longer restrained by the fact that the best intentions, and even the best measures, might be thwarted by an unfriendly Executive. Encomiums on the new state of affairs were very general in the press of the country; even the 'Grahamstown Journal' admitted that the House had done excellent work, though its praise to the Ministry was ever grudging, but this they now received from the most unexpected quarters. Mr. Paterson, who had come down with the avowed object of obstructing all work until his Local Self-government Bill had been carried, spoke as follows, in proposing the toast of the Ministry at a dinner given to the parliamentary veteran Mr. Ziervogel on his retirement from public life:—

Within the last two months more work had been done than

<sup>1</sup> With regard to the ocean telegraph the Ministry entered into a contract with Hooper's Telegraph Company for the construction of a telegraph from Aden to Port Elizabeth for a subsidy of 9,500*l.* a year, but this eventually fell through owing to the company failing to find the money within the time provided by the contract. Several accidents had occurred on the great cable routes, and public confidence in the shares of cable companies was in consequence considerably shaken.

<sup>2</sup> It lasted only 68 days, while the number of days in previous sessions had been as follows: 71, 84, 82, 83, 87, 114, 81, 110, 105, 104, 89, 166, 128, 125, 124, 116, 100, 106, 104.

any previous Government had effected in twice the time. It was a matter for congratulation, that so much work had been done, and that it had been done so well. The more he saw of the Ministry the more was he satisfied that they were qualified for and equal to their work.

This is valuable testimony coming from their chief political opponent. It was clear that Mr. Molteno was making good his constant and reiterated belief that the Colony was able to manage its own affairs far better than anyone could manage them from a distance. The working of the new system had inspired fresh hope, both for the material progress of the Cape Colony and for the union and advancement of South Africa regarded as a whole. A journal of the day summed up the work of Parliament in these words :—

Times have been favourable to the introduction of the policy of self-government, and circumstances have been entirely in its favour. The principles of this policy are that we remain one united people, governing ourselves in all domestic matters not inconsistent with the interests of the Empire, and that every part of the country should have control of the administration of its own local affairs. By this policy, the late Parliament, as it seemed to us, hoped to lay the foundations of national life in this part of the world, and to bring contentment, so far as Government has the power of doing so, to all sections of the colonists. . . . The days of personal government are past, and the fact is, we are glad to say, recognised by the great body of the people. To the late Parliament we owe this blessing, and that, in itself, ought to be sufficient to make us feel grateful to the gentlemen who, led by Mr. Molteno, gained this victory for the colonists over those who desired to keep them in a state of tutelage. . . . As regards South Africa generally, the policy of the late Parliament was equally enlightened. There was a desire to draw still closer together the bonds of friendship existing between this colony and the Orange Free State, the Transvaal, as well as Natal. The wish was that everything practical should be done to prepare the way for that confederation of all the civilised communities of this end of the continent under our general Government. Such a confederation cannot be accomplished for many years to come, but much may be done to remove the difficulties standing in its way. Indeed, it may be said that by the introduction of self-government into this Colony one of the greatest obstacles to a

closer union of all the South African States has been removed. . . . The central idea in the mind of the majority seemed to be that such distinctions as east and west, Dutch and English, should cease to have any effect in public affairs, and that all who have made this country their home should endeavour to place upon a sure basis the foundation of a nation to be formed by their descendants.

This latter sentiment was shared in by Mr. Molteno and those who worked most closely with him ; some even hoped to live to see the day. Mr. Ziervogel, who had been a Member of Parliament since 1854, and who was now leaving for the Transvaal, said at the farewell banquet given in his honour :—

May the influence of this Colony soon spread beyond the boundaries thereof ; and even before my death I hope to see an amalgamation of all the civilised States of South Africa, that we should see them all as one great State which shall be the admiration of other parts of the world !

And Mr. Porter on the same occasion spoke as follows :—

Our friend Mr. Ziervogel has connected my name with a wish that the whole civilised portions of South Africa might be connected together in one grand union, and that we might become the 'United States of South Africa' and take a position in the history of the world. I hope that time will come. That time may be distant, but still I think it is a time which will eventually be fulfilled ; and when that time does come, and when the whole of these civilised communities shall be united together, then they will look back, I make no doubt, to the establishment of representative institutions at the Cape of Good Hope as being the point from which they originally started.

Sir Henry Barkly was able to report to the Secretary of State that 'responsible government had the immediate effect of substituting a single strong governing power for the dual forces of the Executive and Legislature which were before, as often as not, exerted in opposite directions ;' and at the close of the session he declared that in no previous session had such harmonious action prevailed between the Executive

and both branches of the Legislature, nor had business ever been carried on so satisfactorily and at the same time so expeditiously.<sup>1</sup>

As we have already seen, the Constitution Amendment Bill was rejected in the Council, and the Governor's prorogation speech announced a dissolution on that issue. The Parliament would have lasted for only one session more; and as half the Council were bound to seek re-election in the succeeding autumn, it was held more convenient that the dissolution should take place at once, and the sense of the country be taken on the Bill. It was a bold and courageous step, looking to the great support the House of Assembly was giving to the new Ministry, and there were evident signs that even in the existing Council the Bill was likely to pass next year.

Mr. Molteno now conceived the happy idea of making an official visit to the east, with a view to meeting the people and learning their wants, by making their personal acquaintance, and thus showing that the Ministry had at heart the good of the country as a whole, and that the interests of that portion of the Colony which had opposed the change to responsible government were as dear as of the portions which had always supported the change. The suggestion was received in the spirit in which it was made, and the meeting was of the happiest character, and led to the most beneficial results; for it amply convinced the east that its interests were dear to the Government, and that it would be met in a spirit not only of liberality, but of fair play, and without any mental reservation or resentment for past actions.

Mr. Molteno left on the 30th of July, from Cape Town, receiving a most hearty send-off, and he was everywhere received with enthusiasm; there was a determination to honour the first citizen of the country and the inaugurator

<sup>1</sup> *Commons Papers*, vol. 44, p. 145.

of the new *régime*, and to forget any past animosities. He was dined and fêted and presented with addresses everywhere. At Port Elizabeth addresses were presented by the Chamber of Commerce and the Town Council, and his replies gave the greatest satisfaction. Naturally, local self-government was put forward there, and Mr. Molteno replied with great frankness that he had always most heartily sympathised with the advocates of local self-government, believing as he did that it was a most desirable object; but he did not consider it impossible to obtain it without separation.

From the peculiar circumstances of the Colony (he said), and in the interests of the future wellbeing of the whole of South Africa, it appears to me most indispensable that we should be a united Colony. It is as such that we can best grapple with the natural disadvantages which impede trade and commerce, or promote those undertakings which are essential to our continued prosperity. . . . In the attainment of these results I assure you that I will be most happy to join with you in devising and promoting such measures as will the more effectually secure the co-operation of all the forces of local feeling and local experience in the administration of the affairs of this country.

Nothing could be more dignified, more conciliatory, or more statesmanlike than the expression of such sentiments as these, and they were accepted in the same spirit. The 'Herald' confessed that the words of the reply are 'gracious,' and that 'of the terms in which it is couched it would be impossible for the most fault-finding to complain;' while as to the impression made by Mr. Molteno on this community it says:—

We cannot close these remarks without adding that, as far as our community laid itself open without bias or prejudice to impressions, the impression which the Colonial Secretary had made upon them has undoubtedly been favourable.

Mr. Molteno's policy, as set forth in his replies, was a 'united Colony, a strong liberal-minded central administra-

tion and local self-government for local purposes, with the forces of local feeling and local experience used to the utmost possible extent wherever these forces could be brought to bear.'

When we consider that the town had but recently subscribed 5,000*l.* for continuing the struggle for separation, and had sent down a representative both to the Assembly and the Council to be uncompromising opponents of all measures until separation had been obtained, it must be admitted that the success of responsible government, even after one session, had surpassed the most sanguine expectations of its advocates. It had calmed down hostile feelings, and proved that the wants of the whole community would receive the earnest and hearty solicitude of the Government, and that it was in no danger of being used for purposes of petty spite or for local aggrandisement of one part of the Colony at the expense of the other or the whole. The absence of any feeling against those who had opposed responsible government was characteristic of Mr. Molteno's generous disposition; the fact became patent to all during his tour in the east, and he impressed them with the reality of his solicitude for the welfare of themselves and the whole colony. There was nothing for party feeling or rancour to feed upon.

From Port Elizabeth Mr. Molteno proceeded to Uitenhage, where he was met with enthusiasm, and thence he proceeded to Grahamstown; on the way he was met by a large deputation of Albany farmers, who received him well and set out their difficulties, appealing to him as a farmer to enter into their troubles, which he was very ready to do. At Grahamstown, the great centre of separation, the great stronghold of the east, the great would-be political dictator of the east, he was generously and enthusiastically received; as Mr. Godlonton said, if they had differed it had been in fair fight, and it would be so again if they had to differ. But

Grahamstown had ever a warm heart, and it was determined not to be outdone in honouring the Prime Minister of the country. A great banquet took place, at which the same old veteran presided, a man who was able to say that he had known Grahamstown for fifty-four years, that is, since its foundation as a town. Speaking of the question of the evening, he said :—

I may safely assert that the House to which he belongs has no sturdier champion, or one who is more sensible to everything trenching in the slightest degree on those powers which are ceded to it by the constitution of the Colony. If there is one trait in the character of my honourable friend, if he will permit me to call him so, which more than any other has impressed me with respect, it is that manliness which he has always exhibited in opposing everything he conceived to be wrong, and especially when emanating from men in power. . . . He did not hesitate to add that in no part of the Colony would their honoured guest, and those acting with him, have more lively support so long as the welfare of the Colony was kept steadily in view, nor would they meet with more determined opposition should their measures be opposed to the general welfare.

When we recall to mind that this was spoken in Grahamstown, where the Parliament of 1864 had been held, and whose representatives had ever opposed everything western, the manner in which they met Mr. Molteno's advances was both honourable to themselves and a tribute to Mr. Molteno's character of very great value, and fully appreciated by him. His desire was to let the 'dead past bury its dead,' and to start afresh with the old habits and sorrows entirely forgotten. This was a trait eminently characteristic of his frank and generous character, which never dwelt upon old injuries or upon a past which was dead and gone. He believed in using one's powers to the full in the present, and wasting no strength on a past which could no longer be altered. He often used the old Dutch proverb, 'Gedane Zaken nemen geen keer.' He replied to the toast of his health as follows :—

I am glad to say that I have received a very warm reception in the eastern province, and in no place have I been received more kindly than in Grahamstown. This has inspired me with a sense of the kind feelings which exist among you. . . . I am more particularly grateful to you for this kindness, inasmuch as in political matters I have taken on various occasions a somewhat opposite position to that of your representatives. I made up my mind, when placed in the high office I now hold, that as soon as possible I would visit the more distant parts of the Colony, especially the eastern province, because I felt it incumbent upon me, as the head of the Government, to ascertain and make myself acquainted with its wants and requirements. . . . The Ministry had sought to promote alike the interests of all parts of the Colony. I could say much with regard to the past—but let bygones be bygones, and let us look at the present and act towards each other as if we were at the commencement of a new era. . . . What the Government most sought was the prosperity and success of the whole country. The present Government was doing its best to promote public works, and was doing everything in its power to benefit the community at large; but it should be remembered that it was no easy matter, after a general standstill of some seven or eight years, to organise things, and though they now had plenty of money to spend, it was not very easy to spend it all at once to the best advantage. . . . The matter of frontier defence was under careful consideration. The Government was fully alive to the importance of this great question.

Nothing could exceed the cordiality of his reception, both publicly and privately, in Grahamstown, and it was a happy augury for the healing of old sores and difficulties, and the commencement of a period of active co-operation in the advancement of the Colony unhampered by those party cries which had at one time entirely monopolised the energies and attention of the community. The people were beginning to recognise that they had the remedy in their own hands, and Mr. Molteno lost no opportunity of impressing upon them the fact that if he or anyone in his position did not possess or retain their confidence, they could displace him and place someone in power who did, and thus he weaned them from the idea of the old *régime* that petitions for redress of grievances must be sent to England, and not to their own Parliament.



He next proceeded to Kaffraria, where his reception exceeded, if possible, all that had gone before, not only among the European population, but among the natives, who, to the number of 300, escorted him into King William's Town on horseback. The people of East London had sent a special request that he would turn the first sod of the railway, and tip the first waggon of earth for the breakwater. The enthusiasm of Kaffraria was unbounded; enormous crowds turned out for these events. It was the greatest event in the history of East London, and duly appreciated as such.

After the ceremony there was a banquet, and Mr. Bompas, in proposing Mr. Molteno's health, said: 'I rely upon the Premier's well-known character for determination and integrity of purpose—which has won for him not only the admiration of his supporters, but also of his political opponents—to exercise that same determination in pushing forward the completion of the works just commenced.' Mr. Molteno in reply referred to that policy which had been his ever since he had taken part in public life, namely, that the best means of defence, and the only permanently effective one, was the development of the material resources of the Colony so as to overcome natural obstacles and eventually make it unquestionably superior in resources to its barbarous neighbours. He pointed out that this method was not only infinitely preferable to maintaining a large standing army, but was the only practicable method, since the Colony could not afford the expense of maintaining any large permanent military force. He said, looking from a local point of view at the works just inaugurated, that they would undoubtedly benefit the divisions through which they immediately passed; 'but he took a much larger view. It was not to-day a question of East London; it was the Colony as a whole which would be benefited by the reproductive character of these works and their important bearing as an invaluable aid for defensive purposes.'

This was the policy of defence which Mr. Molteno adopted, and he trusted that war might be altogether avoided between the whites and the natives by a wise and just treatment of the latter, and that every year which passed would see the peaceful development of the country raising a most effectual barrier to the recrudescence of barbarism ; and if the evil day must come for a struggle, then there would be no question which side was the stronger ; in such an eventuality he knew he could rely upon the patriotism of the country to rise and crush the revolt, without placing any reliance on the aid of Imperial troops.

At King William's Town, where he received a deputation of native chiefs, he urged upon them the importance of coming into the Colony to see the railway works, and of earning money with which to purchase valuable property, such as cattle, sheep, and horses. The natives spoke of drink being a great curse to them, and Mr. Molteno said they should act as men, and be no longer children yielding to temptation ; but if they desired the drink to be prohibited, then they must have the power to close canteens in their neighbourhood.

Addressing a cadet corps which paraded in his honour at King William's Town, he said he was very glad to see them, and he trusted that their example would be imitated in other parts of the Colony, and be the precursor of a great movement. The country must now rely upon itself, as it had accepted responsible government ; and though they were young and knew nothing of politics, yet he would tell them a splendid career was now opened to colonial youths, who might rise to the highest positions in the country, a country which he, in common with Sir George Grey, believed had a great future in front of it ; he hoped that among them might be a future Premier of this great country. He also mentioned the appointment of a Frontier Defence Commission, as a proof that the Government were alive to the great importance of this subject.

Mr. Molteno had been all through this country twenty-seven years before as a commandant under Sir Andries Stockenström—a time when it was overrun with Kaffirs after a devastating war. He constantly remarked how pleasant it was to see it now under such different and favourable conditions, and how gladly he observed the progress made, not only by the white inhabitants, but by the natives also. At Fort Beaufort he referred to the fact that ‘twenty-seven years ago he was in the vicinity of Fort Beaufort defending the country; that was his first public act, and since then he had ever endeavoured to benefit the country.’ He touched a strong cord of sympathy when at Cradock he said: ‘I had the honour of visiting Cradock on a previous occasion, in the year 1846, when as a burgher I was engaged with many of the old residents of the district in the defence of the frontier.’ At Queenstown he said likewise ‘that he was extremely pleased to see the progress made since he was there on commando in 1846.’ At Graaff Reinet, which was regarded as the capital of the midlands, and the old constituency of his staunch friend and supporter, Mr. Ziervogel, he was enthusiastically received, and discussed with the principal inhabitants the question of the route to be taken by their railway.

There can be no question that the experience of the first session of Parliament under responsible government, and this tour of Mr. Molteno, gave the complete quietus to the old separation cry, and to the east and west agitation; there was a complete revulsion of feeling, and the most determined opponents of responsible government now confessed its value. Mr. Probart, who had been a Member of Parliament for many years, while speaking at Graaff Reinet at the banquet given to Mr. Ziervogel, said that he had formerly opposed responsible government, but that he now saw that it was the right thing for the country.

The ‘Graaff Reinet Advertiser,’ the organ of the midlands,

and hitherto unconverted, now pointed out the importance of the government of colonists by themselves and not from a distance, and averred that this would tend to consolidate English and Dutch feeling, and bring to the front public men from both races. Even the 'Star' of Grahamstown, the bitterest and wildest opponent of responsible government, declared that 'it was never really behind Cape Town in its desire for responsible government as opposed to Downing Street government, but circumstances prevented it expressing these sentiments,' and it particularly went on to attack the officials of the late Government for their high-handed and unsympathetic conduct. The Colony had, in fact, become one united country, and it only remained for the Seven Circles Bill to be passed in the next session of Parliament to bring the institutions of the country completely into harmony with public sentiment.

At the end of this year a change took place in the Cabinet. The Chief Justiceship had become vacant, owing to the resignation from failing health of Sir Sydney Bell, and it rested with the ministry to appoint his successor. Mr. Molteno gave further evidence of that power of discrimination of character which he possessed in a high degree, and which is of enormous value to the statesman. He had long recognised the valuable qualities of his Attorney-General; but the latter was young, and there were older lawyers among the judges who would resent his appointment, and it might be said, Why take a young man from politics where few good men could be spared, and whose chance would come later on? But Mr. Molteno had found the best man for the post, and was resolved to put him in this place; he felt that he might be out of office when a vacancy of this kind occurred again, and now he had his opportunity he did not mean to be deterred from following his own judgment. The appointment was made, and has been justified in the most ample manner. It gave rise

to heart-burnings and jealousies, and indeed one of the oldest and best-trained lawyers went into Court every day, note-book in hand, with the express purpose of pulling to pieces and exposing the inexperience and incapacity of this youthful Chief Justice; but after a whole year spent in this work he was compelled to confess himself beaten, and to acknowledge the soundness of the decisions delivered by the new Chief Justice.<sup>1</sup>

Mr. Molteno selected as his new Attorney-General Mr. Jacobs, who had been Attorney-General of Kaffraria, and acting Attorney-General in the absence of Mr. Griffiths; he was a very sound lawyer, and was possessed of the greatest power of application, industry, and assiduity, but with a constitution physically too weak for his mental powers.

<sup>1</sup> Sir H. De Villiers writes in April 1899: 'Within a year after Mr. Molteno's appointment, the health of the Chief Justice, Sir Sydney Bell, broke down, and it became necessary to appoint a successor. As Attorney-General I advised that the appointment should be offered to Mr. William Porter, whose long and valuable services as Attorney-General deserved this recognition, and whose excellent qualities of head and heart had endeared him to the people of this country. It was arranged that Mr. Molteno and I should personally call on Mr. Porter and make him the offer, but all our persuasive powers failed to induce him to accept the appointment. It was then decided by the rest of the Cabinet that the offer should be made to me. I had always acted in perfect harmony with the Premier, and I knew that he was extremely loth to part with me as a colleague. Rightly or wrongly, however, he believed that the interest of the country required my appointment, and with the disinterestedness which marked his career he sacrificed his own political interests to what he believed to be the good of the country. I was naturally also disinclined, at the comparatively early age of thirty-one, to sacrifice my political and professional prospects in exchange for the responsible position of Chief Justice; but after a long and earnest conversation with the Premier I was induced to accept the appointment. Thus ended my association with him in politics, but I am happy to say that our personal friendship continued unabated to the end of his life.'

## CHAPTER X

ADMINISTRATION OF RESPONSIBLE GOVERNMENT (*continued*).

1873-75

Langalibalele outbreak—Decisive action of Government—Surrender of the Chief—Session of 1874—Seven Circles Bill—Great Railway Scheme—Success of both—Position of Cabinet vindicated—Refusal to introduce Asiatics—Increase of Salaries of Public Servants—Establishment of Public Libraries—Bridge over the Orange River—Success of Responsible Government—Mr. Porter leaves the Cape.

ABOUT this time there occurred an incident which brought out the vigour of the new form of government in the field of native policy and administration. Langalibalele, the chief of the Hlubis, a man who was connected by marriage with the principal tribes of the Transkei, and who was regarded by the natives far and near as the greatest magician and witch-doctor as well as a powerful chief, refused with his people to obey the registration law of Natal, and the authorities of the latter Colony determined to take steps to arrest him. This led to a conflict with the Natal forces and an immediate commotion among the natives. The chief fled into Basutoland, and it was felt that if he were successful there might be a general rising, and no one could tell where the conflagration, once lighted, might extend to. The Cape Government immediately sent the Frontier Armed and Mounted Police into Basutoland, where they had an excellent effect in confirming the wavering and suppressing the disloyal; and in a few days Langalibalele was handed over to them by the natives themselves. Thus promptitude and vigour, the two essentials in all movements against the

natives, were employed to their interest with the happiest results. We quote from a contemporary journal :—

As the question of responsible government is very much bound up with the Native question, it is useful to observe how the system is working in the neighbouring Colony. More than a year has elapsed since the Molteno ministry came into power. From that period the colonists, through their representatives, have had unrestricted control of native affairs. And what do we see? Violent change? Disaffection? Confusion? Nothing of the kind. We do not hesitate to say that in no period of the Cape history has the management of native affairs been more satisfactory, more progressive, or more effectual. Mr. Brownlee, as the mouthpiece and representative of the Government, has visited the several chiefs and reserves, and made his power and his presence a sensible and active fact. He succeeded in re-establishing peaceful relations between Krelî and Gangelizwe, the Galekas and the Tembus, and he has gradually but steadily extended Cape authority up to our very border. We say this with much regret, as the expression implies that a march has been stolen on Natal. But there is the fact. It is attributable solely to the existence of responsible government. The Cape authorities can now do what they like, without troubling themselves as to what Downing Street will say, think, or do. So far from abusing this power, so far from using it rashly, they have exercised their new privilege with great sagacity and discretion, and entirely to the benefit and aggrandisement of the Cape Colony.

What Cape ministers did in the matter of Langalibalele our readers know well. We greatly doubt whether, had the old system been in operation, the mounted police would have been moved up as promptly as they were. It was a colonial movement planned by a colonial ministry, and carried out by colonial agents. Downing Street was wholly unaccountable therefor. The men in power knew the imminence of the crisis, and their experience taught them how best to meet it. Hence their instant action, and hence their complete success.

But the grand point gained by our neighbours is the power to act, the freedom from Downing Street fetters, the unrestrained right to carry out whatever measures may be dictated by local circumstances and approved by local experience.<sup>1</sup>

We shall have to chronicle later on the dire results which

<sup>1</sup> *Natal Mercury*, April 1874.

followed upon a reversion to the former Imperial system in the Gaika and Galeka war.

Parliament met on the 27th of May, rather later than usual. The elections had taken place in the early part of the year, and had justified Mr. Molteno's confidence that the country was with him both on the question of the Constitutional Amendment Bill and the great measures he was about to place before the country. Not only was this the case in the Assembly but in the Legislative Council, though the elections had necessarily taken place under the old system.

The principal measures of this session were the Constitution Amendment Bill and the Bill for the Construction of Railways, both measures of vast importance, and if Mr. Molteno's cabinet had done nothing else they were sufficient to give it a lasting and prominent place in the history of the Colony. Mr. Molteno had always taken the greatest interest in the progress of railways in the Colony. But from 1861 to 1869 he had strenuously opposed the construction of any railway under the administration then in power. Although the purchase of the Cape Town and Wellington railway in 1872 was authorised before he came into office, it was only through his strenuous support in Parliament that the measure was carried in the face of very strong opposition. Certain railway surveys had been undertaken before he came into office, and a few miles of railway from Port Elizabeth had been commenced.

Very soon after he took office the new Government took over the working of the Cape Town and Wellington railway as a result of the purchase, and it lost no time in preparing for the prosecution of railway construction. During the session of 1873 it obtained authority to raise 660,000*l.* for the purpose of constructing two lines of railway, one from Wellington to Worcester, the other from Port Elizabeth to Bushman's River. The Government also obtained authority to construct further extensions, and elaborate surveys wer



made during the recess in order to determine the best routes. Mr. Molteno introduced his great scheme in a notable speech\*—

Mr. Speaker,—There have been occasions on which I have been called upon during my long Parliamentary experience to address this House, when I have lamented my deficiencies in what may be called the power of oratory, and I feel now that it would be difficult to put forward this important question in such a manner as it ought to be put forward ; in fact this is an occasion when, in the hands of one who is really gifted with the power of speaking, a very great deal might be said. But this is a House composed of plain, practical men, and my experience has taught me in all these things that there is a great deal of compensation. I have often felt myself carried away by very eloquent speeches, and deemed it almost unsafe to give a vote just at the moment, preferring rather to take a little more time to weigh the matter, and get rid, perhaps, of the seductive manner in which it may have been put forward. Therefore I say there is a sort of compensation in these matters, and I suppose from what the House knows of me they will expect nothing very great or elaborate. I shall merely put the Bill forward in a plain, straightforward manner, as it is not in my power, or according to my practice, to do anything beyond that. I am opposed to throwing anything like a glamour over the question, nor is there much fear of anything of that sort with me.

We may consider for a moment how far this apology for want of oratorical power was warranted. So far as the embellishments and smaller niceties of ornate speakers go, his speeches were certainly lacking, for he deliberately avoided them ; but do these constitute the essential qualities of an orator ? ‘Oratory is one of the pursuits as to which there is no error ; the criterion is ready. Did the audience feel ? Were they excited ? These questions, and others such as these, can be answered without mistake.’<sup>1</sup> Judged by questions of this character we may say that Mr. Molteno’s audiences did undoubtedly feel, indeed some confessed that they almost trembled when he rose to those passionate heights which earned for him the sobriquet of the Lion of

<sup>1</sup> Bagehot, *Biographical Studies : Gladstone*.

Beaufort. In looking at this question, it is not the mere language used, it is the tone, the manner, the attitude, the action, the whole man. To quote Milton :—

As when of old some orator renown'd,  
In Athens or free Rome, where eloquence  
Flourish'd, since mute ! to some great cause address'd,  
Stood in himself collected ; while each part,  
Motion, each act, won audience.<sup>1</sup>

Judged by this criterion Mr. Molteno had oratorical powers of a high order. He convinced his audience because he was convinced himself ; his transparent honesty and rectitude of purpose were plain, and he conveyed to them a sense of the great power and force within him almost fierce in its volcanic energy of expression. The writers of the time in describing the debates constantly tell us of his 'belligerent energy' when in reply to attacks the Premier throws 'his body back, lifts his head, and snorts like a war-horse,' and describe him as being 'lashed to fury !' Some may say that this was assumed, but had they once seen him on such an occasion they would recognise that the displays were the natural expression of a determined character which had grappled with great obstacles with an overwhelming energy.

The very spontaneity of these outbreaks gave them their great interest and held the audience spellbound. 'A man must not only know what to say, he must have a vehement longing to say it ; . . . he has the didactic impulse. He has the "courage of his ideas." He will convince the audience. He knows an argument which will be effective ; he has one for one and another for another ; he has an enthusiasm which he feels will rouse the apathetic, a demonstration which he thinks must convict the incredulous, an illustration which he hopes will drive his meaning even into the heads of the stolid. At any rate he will try. He has a *character*, as Coleridge might have said, towards the audience. He is sure if they only knew what he knows they would feel as he feels,

<sup>1</sup> *Paradise Lost*, ix. 670.

believe as he believes. And by this he conquers; this living faith, this enthusiasm, this confidence, call it as we will, is an extreme power in human affairs.’<sup>1</sup> Of this kind of power Mr. Molteno had abundance; he certainly had the courage of his convictions, and he inspired men with the confidence which he himself felt, and he had, further, that essential of the great political orator, the ‘contentious impulse.’ ‘It must be positive pain to him to be silent under questionable assertions, to have others saying that which he cannot agree with.’ His speeches in reply far surpassed his opening speeches, and this was universally acknowledged by all his contemporaries. His speaking, like his conduct, was the exact expression of the man who was free from affectation or make-up of any sort, and this very bluntness and spontaneity commended the speaker more than any oratorical graces could have done. The flow of unstudied language seemed the natural reflection of a mind that refused to dally with important questions and shrank from quibbling and hair-splitting as doubtful trickery. There was that something in him which secured for him entire confidence in his good intentions and perfect trustworthiness as a guardian of great interests.

We must return to Mr. Molteno’s speech :—

The matter of railways has been practically decided on by the unanimous judgment of the country. The Government first procured from Europe the best engineers who could be found. The object has been to meet the general wants of the country as far as possible. . . . If railways are to be carried out, you must have a comprehensive scheme, but everything cannot be carried out at once. The Government have approached the subject without any desire to favour any particular part or portion of the Colony. . . . I admit the scheme is a very large one, but I do not see how it is possible to curtail it and yet give satisfaction to the Colony as a whole. . . . This may be too extensive a scheme to undertake all at once, but in our present position there is every probability of our being able to undertake those lines and carry them out

<sup>1</sup> Bagehot, *Biographical Studies*, p. 91.

within a reasonable time. The Government considers that there are very important considerations connected with the subject of railways which the House ought to take into consideration. They will have an immense effect upon the progress of this Colony. They will tend indirectly to help up the revenue, and give an impetus to activity in various ways which no one can at the moment foresee. However, I consider that the construction of railways, more especially in the east, will have a most important bearing on the future security of the Colony as far as the natives on our borders are concerned. So far from depriving our farmers of labour, they will be able to get better labour than they now have. At present there is a disinclination on the part of the natives to work on farms in twos and threes; they prefer to work in numbers all together, forming a sort of encampment, and liking company and their own style of habits. This they could do on the railway works. . . . Some have already come to the eastern line. . . . The Colony has no doubt benefited immensely by the discovery of diamonds, but if it is once known that we are undertaking great public works, immigrants will be at once attracted to our shores in larger numbers than we think. . . . I cannot approve of the idea of introducing Chinese or coolie labour from India. When once the native mind is imbued with the nature of the public works they will gradually come into the Colony, and their exclusiveness and present mode of life will be broken into more by this than anything else. But, in order to direct native labour, you must have resort to countries like Europe to get skilled labourers if these works are to be carried out with anything like spirit.

He then went on to deal with the financial aspect of the scheme, and showed that the finances of the country were such as to give ample justification for undertaking it without resorting, for the present at any rate, to any extra taxation. He explained that in consequence of the flourishing condition of the revenue within the last two or three years, all temporary loans previously incurred had been paid off, and special loans as well, while various public works, including railways and bridges, roads and telegraphs, had been carried out without resorting to the borrowing powers with which the Government had been armed from previous sessions. As to paying off other funded debts, it was shown to be impossible, for the very gratifying reason that so high did the

credit of the Colony stand that none of the holders of Colonial Debentures were willing to dispose of them until the specified terms fixed by law.

With regard to the wider bearing of the question he said :—

It must not be forgotten that by having railways we benefit our neighbours also, as they get their goods with greater facility. Nor are they called upon to pay anything towards them ; therefore they can well reconcile themselves to the present customs duties. We maintain the ports, the docks, the roads, the telegraphs, and such like, from all of which they derive more or less benefit, and that without any expenditure.

He then described the routes to be followed and the various objective points :—

Look at the position of these places with regard to the whole Colony. You seem to touch the great producing parts of the Colony, and get on towards the Orange River and beyond it. The reaching of these points is most important, for there will then be no difficulty in subsequent extension, but I think this scheme is comprehensive enough for the present.

We see here foreshadowed the inclination of Mr. Molteno's views in connection with the unification of South Africa—his main trunk line was to go right up to the heart of the country, into the Free State and Transvaal. He desired to unite the different colonies and states by means such as railways, roads, telegraphs, bridges, and to secure that the political union, when it came, should be real and permanent ; keeping this in view he refused to divert the trunk lines, and when it was suggested, as it now was, that the Beaufort railway should go through the fertile districts of Robertson, Montagu, and Oudtshoorn in place of the more barren Karoo, he held that the increase in distance thus brought about was fatal to such a proposition.

The speech was very well received, and Mr. Molteno was congratulated on having made one of his most successful

expository speeches. Some parts of his speech were so effectively delivered (says 'Notes in Parliament') 'that we began to doubt whether, after all, he was not a rhetorician. By his tact and judgment he took the wind so completely out of the sails of the Opposition that it was nowhere.' The second reading was carried without a division, to such an extent was the Bill in accord with the sentiments of the whole House. As Mr. Hume, of Port Elizabeth, confessed, Mr. Paterson and himself had come down determined to push on railways; but they found the Government had entirely forestalled them; and prepared a work the magnitude of which had never before been equalled or approached in the legislative history of the Colony. It proposed to construct 800 miles of railway at a cost of 4,800,000*l.*, of which 4,000,000*l.* only was to be raised by loan, and the balance was to be paid out of accumulated revenue. The scheme comprised a railway

	<i>£</i>
From Cape Town Station to the Docks, at a cost of . . .	8,000
Durban Road to Malmesbury, and Kraaifontein to Mulders Vlei, to shorten the direct route to interior . . .	228,000
Worcester to Beaufort West via Hex River and Constable .	1,390,000
Total for the west . . . . .	<i>£</i> 1,626,000

	<i>£</i>
From Zwartkops to Graaff Reinet . . . . .	940,000
Bushman's River Poort to Cradock . . . . .	842,000
Connection of Grahamstown with main line . . . .	828,000
East London to King William's Town . . . . .	1,069,000
Total for east . . . . .	<i>£</i> 3,179,000

This scheme was considered by all to be extremely bold, if not audacious, and was viewed by many with great alarm, as likely to involve the Colony in financial ruin and bankruptcy. When we consider that the total annual revenue of the Colony three or four years earlier was only 600,000*l.*, and when we have regard to the extremely conservative character of the rural population of the Colony, it was certainly

a bold measure to bring forward ; as the then Commissioner of Crown Lands says :—

It was only through the confidence felt by the people of the Colony generally in Mr. Molteno's integrity, shrewdness, and prudence that this large scheme was carried, notwithstanding great opposition, due partly to local antagonisms and jealousies, and partly to the dread of the 'ox waggon' party at the prospect of impending ruin to the Colony.<sup>1</sup>

When the Cape Town and Wellington railway was passed through the Legislative Council authorising the expenditure of half a million, the Colonial Secretary, Mr. Rawson, congratulated the Colony on the possession of a Parliament, and declared that no previous Government would have ventured on what seemed at the time so gigantic a scheme as that. With incomparably greater emphasis the Colony was now to be congratulated on the further development of its institutions into responsible government. For only an administration feeling that it was alike responsible to the people and backed by the people could have dared to submit a scheme of such magnitude and so varied in its ramifications. An expression of these sentiments is to be found in the public prints of the time, and is undoubtedly just.

As will be seen from an examination of the scheme and the figures, the east had no cause to complain of the treatment received by it ; indeed if we look at the figures, the eastern expenditure showed an excess over the western of over 1,500,000*l*. The people of Grahamstown were offered two out of three things :—

- (1) Railway connection with the Cradock line ;
- (2) A large expenditure on the Kowie Harbour ;
- (3) Railway connection with the Kowie.

They chose the first two, and they subsequently obtained a subsidy to secure the third by means of a private

<sup>1</sup> Letter of the Hon. Abercrombie Smith to the author.

company. Thus the east discovered that the fear of the west was a mere bugbear which did not exist in fact, and that the west could quite equal their own generosity. The reunion of the whole Colony was now complete, never more to be severed, though the efforts of a Secretary of State and his Envoy were to be used to their utmost to accomplish it.

The fundamental idea of the scheme was to avoid lines parallel to the coast, and to proceed from points on the coast as directly as possible towards the interior. It has formed the basis of the great railway scheme of the Cape Colony, and its wisdom has stood the test of time. Those extensions which Mr. Molteno spoke of in his speech have been made not only over the Orange River, thus uniting the Cape Colony with the Orange Free State, but the Cape was thus enabled to be the first in the great railway race to tap the wealth of Johannesburg and afford an access to the sea, to the immense benefit of the mines of that auriferous district. Then the trunk lines have been extended on the one hand through the centre of the country to Mafeking and Bulawayo, and on the other to Pretoria, the capital of the South African Republic, and have conferred on all these inland districts the benefit which he foreshadowed.

The Cape has been able to take the lead in railway enterprises in South Africa, and not only maintain but increase its profits in competition with other countries whose seaports are far nearer to the greatest trade centres in actual distance than its own. The Cape Railways may be said to be the most successful railway system in any colony, and indeed, perhaps, the most successful system owned by any Government in the world. In 1895 the interest on the capital invested was 7*l.* 15*s.* per cent. Mr. Molteno's anticipations as to the Colony being able to bear the cost have been most amply realised, and his policy most thoroughly justified. The line from Cape Town has become the great mail and passenger route for South Africa,



while the 'midland' line from Port Elizabeth has become the great general goods route to the interior and Johannesburg, and the eastern is rapidly advancing and relieving the congestion of the midland line. The caution, the prudence, the foresight and sound judgment of Mr. Molteno in this matter have been amply justified by subsequent events, and the position won by the Cape in the construction of these lines has been the main factor in enabling it, when its opportunity came, to seize its advantage and secure for itself the legitimate portion of the increased trade due to the development of the mineral resources and wealth of the Transvaal. Unfortunately, owing to causes which could not then be anticipated, the other advantages of unity of sentiment and political ideas between the Colonies and States to which he had looked forward have not followed upon the physical union of railways.

The other great question finally disposed of during this session was the Constitution Amendment Bill, which had been carried by a large majority in the previous House of Assembly, but had failed to pass the Legislative Council. It involved, as we have seen, the final abolition by law of what common sense and the growing perception of the community of interests had practically abolished at least twelve months before, the mischievous, because purely artificial, distinction between east and west. Under it the eastern and western provinces disappeared as such, and the passage of the Bill meant a declaration that the Cape of Good Hope should continue as it now is, one strong united Colony—it was the death-blow of 'separation.'

It further aimed at securing the proper representation of the country districts in the Legislative Council by giving them their due influence, and doing away with the absolute preponderance of the larger towns, thus enabling the country districts to feel that they were truly represented by their own representatives and not by nominees of the towns in whose

selection they practically had no voice. The Government introduced the measure, at an early period of the session, into the Council, and Mr. Molteno himself took charge of the Bill in all its stages in each House. The old Conservative party, which still remained more strongly represented in the Council than the Assembly, made two efforts to dispose of the measure. Mr. Godlonton moved that the whole constitution of the Colony should be referred to a Commission for consideration. Mr. Molteno met this proposition in a trenchant speech, pointing out that the true object of the proposal was to defeat the measure entirely. No Commission would be trusted to deal with a matter of such moment as the constitution, and any change must be made gradually, and as each point arose. The whole constitution was too stupendous a subject to be dealt with at any one time.

Mr. De Smidt, a most strenuous supporter of the old Conservative ideas, also moved that, as an Act had just been passed for taking a census of the whole Colony, the order for the second reading of the Constitution Amendment Bill should be discharged. The idea was plausible, but had for its object only the loss of the measure, and it was strenuously opposed. Both these attempts were defeated by narrow majorities, 11 to 8 and 10 to 9, and the measure was now formally introduced by Mr. Molteno.

When he had addressed the Council on the previous occasion he had remarked upon the fact that east and west sat opposite each other, facing each other as if they were enemies. He was now glad to see that they had abandoned this system, and mixed with one another whether representing east or west. With a view to making the Bill more palatable he agreed to a proviso that the Council should not be dissolved without the Assembly being dissolved at the same time, and further that the passage of this Bill should not be the cause of an immediate dissolution. The effect of

those provisions was that the Bill would come into effect only at the next general election, and casual vacancies would be filled until then under the old system. In addition to his former arguments he urged the practical consideration that the Colony was now calm. No great political question was agitating it, and the moment was therefore an opportune one for making the change and giving the final blow to the old east and west agitation. The Council finally passed the Bill by 13 to 8.

In the Assembly the Bill led to the most exciting incidents of the session, and very nearly brought on a crisis. Members were new to the working of responsible government and were inclined to get a little out of hand, while the machinery employed by parties in older assemblies, such as the House of Commons, did not then exist at the Cape. There were no whips, and, indeed, Mr. Molteno was entirely averse to any influence whatever being brought to bear on members; he desired to leave everything to their own sense of what was right and fitting, and in this he erred too far on the side of not influencing members. Human nature needs some guidance, and the working of Parliamentary Government necessitates some machinery, to avoid mistakes and confusion.

Mr. Molteno, in introducing the measure, again enunciated some of those fundamental principles of which he had so wide and powerful a grasp. He believed thoroughly in the principle of representation as essential to the stability and maintenance of the government of the Colony. If great works were to be undertaken and the necessary sacrifices to be borne by the people, you must carry them along with you. If by a bad system you have representatives who nominally are there to represent their constituents, but who do not in reality do so, there is always great danger; and this danger is particularly great in a country so circumstanced as South Africa, where the rural population is widely scattered, extremely Conservative, and not given to expressing itself in

public prints, but yet is endowed with strong good sense, and with powerful and dogged adherence to its own views, which cannot be ignored without the risk of serious trouble. Mr. Molteno's remarks on this point were as follows :—

Some hon. members said, 'What do we want to change the constitution for?—this matter is immaterial; we only want railways, docks, and such like.' Some hon. members had recently been to Europe who had not been there before, and they might have visited an immense factory where thousands of people were working. The motive power was not immediately apparent, but on proceeding to another part of the building they saw the machine that set everything in motion. And so what we wanted was the legislative machinery to enable us to do all these wonderful works—railways, bridges, telegraphs, and all the rest. The only possible way to do that was to gather the united wisdom of the country together to consult upon what was necessary for the advantage of the people. If they did not have the necessary machinery for gathering people together, and obtaining the true opinion of the country, they struck at the root of the whole thing. I do not agree with those who take a superficial view of things, and who say, 'It does not matter about the constitution.' I am one of those who maintain that under the previous system of government it was impossible to get that confidence which was necessary to enable large public works to be carried on. We cannot get people to submit to taxation and to laws unless they feel that these are in accordance with their views. I would like to hear anyone assert that the constitution of the Legislative Council is such as to properly represent the country; and surely no one will admit that this is a satisfactory state of affairs!

The House was strongly in favour of the Bill, and there was only a feeble opposition. The country had sent back men to the Parliament with a mandate to give an emphatic 'yes' to Mr. Molteno's question whether the Bill was to become law. His majority on the first division of the session, on a motion of Mr. Ross-Johnstone, the member for Grahamstown, to obtain the appointment of another judge to the Eastern District Court, was 41 to 11, and now the second reading of the Bill was carried by 41 to 17, an overwhelming majority

in such a limited House. The minority was composed of old Conservative members, such as Manuel, Fairbridge, Stigant, Barry, Clough, and one or two Ishmaelites or Irreconcilables as they were then called—Merriman, Ross-Johnstone, and Paterson; and of course Ayliff was to be found there. The passage of the measure was looked upon as absolutely secure. Mr. Sprigg, however, moved that the proviso, inserted in the Council, that the Bill should only come into operation at the next dissolution, should be expunged and the operation of the Act be made immediate.

The success of the motion must have involved the loss of the Bill, as it was only on the insertion of this clause that it had gone through the Council. It was an insidious attempt to wreck the Bill. The Government had made no special effort—as we have already stated, there were no party whips—and the result was that members were allowed to follow their unaided judgment. An adverse vote was sustained, and the Government were in a minority of one. Mr. Solomon, who was in favour of the Bill, had voted with Mr. Sprigg, and one or two others, such as Mr. Tait, and Mr. Sauer, joining with the general opposition had brought about this result; but no sooner had it been done than the majority repented of their action.

This episode has an interest in its bearing upon the evolution of responsible government in the Colony. Members were hardly yet accustomed to the consequences of an adverse vote in the House—in the previous *régime* the adverse vote counted for nothing, as the Government remained in spite of them, but now an adverse vote meant the resignation of the Government. It is true that the second reading had been carried, and that the amendment was after all a matter of detail, but Mr. Molteno was most sensitive on this point, and desired to hold office no longer than he possessed the confidence of Parliament. Upon the result of the division being announced he moved to report

progress and adjourn so as to consider the course of action to be taken by the Government.

When the House met next day the crowded benches and the large attendance of the public attested the importance of the occasion. Mr. Molteno stated that the Government could not proceed with the business of the country under the adverse vote; they had already stated that they could not amend the Bill, and that they were bound to stand by it, and therefore he said, 'We must submit to the decision of the House, let it be what it will.' Mr. Solomon said that too much had been made of a small incident of which it was not at all necessary to take such serious notice. 'Still, he was not sorry to see this sensitiveness on the part of the present Government, nor to see them take up such a manly position and say they would not hold office longer than they possessed the confidence of the House.' Mr. Paterson, who had also voted against the Government, agreed that too much had been made of the incident, and 'he did not hesitate to say that, looking to the great measures the Government had proposed, it had his confidence.' Several members said that they would not have voted as they did had they been aware of the consequences.

Mr. Molteno in reply vindicated the course which he had taken, and gave his views on the working of parliamentary government in its demands on the allegiance of supporters of a party, drawing forcible attention to the fact that members are no less responsible for their votes than is the Government for its proposals.

There is a necessity (he said) under party government for giving a certain general support to the Ministry, so long as they continue to fulfil the purposes of government and give satisfaction to the country. This discussion is very valuable, and it has convinced me that it is highly necessary that the Government should take their stand on something or other. I am quite willing to remain in my present position if I am supported by a

majority of the House ; and hon. members ought to consider in these things whether it is desirable to turn out a Ministry. It would not be expected that a Ministry with anything like self-respect would continue to occupy its position when it was not supported in this House. . . . If you think you can get a better Ministry, turn out the present one. I would not wish to hold office one day longer than I possessed the confidence of the House and the country, and I admit that I do feel sensitive on this point.

He then moved that the House should adjourn until the Thursday following. Great public interest was taken in the crisis, and upon the appointed day every member was in his place. The Legislative Council gallery was full, so was the Speaker's, and the public gallery behind was packed to its utmost limits. An important announcement was expected from the Premier, and when his turn came he gave it in calm, deliberate, but very expressive terms.

The efforts of the Opposition were in the meantime directed to playing upon the feelings of those members who had inadvertently brought about the crisis to induce them to again record their votes so as to embarrass the Government. Mr. Sprigg gave a long disquisition on the value of 'principle,' and told the Government that it was not likely to have any policy as it was composed of men who had different principles ; he referred to the Commissioner of Crown Lands as having been an anti-responsible, and with regard to the members who wished to alter their vote he said he hoped they would not 'eat dirt' and rescind their previous vote. Mr. Merriman also took up this line and urged members to vote as they had previously done. Mr. Sprigg said that successors could easily be found to carry on the Government if the present one retired owing to an adverse vote of the House, and affirmed that even a dummy would get a considerable following simply because it was the Government. In reference to this, Mr. Jacobs, the Attorney-General, replied :—'I suppose the hon. member means even

if you have a dummy Government—put him in for instance.’ The House greeted this sally with roars of laughter, but there was truth in it, as Mr. Sprigg showed when in after years he consented to become Sir Bartle Frere’s dummy; it is remarkable that this gentleman has never been placed in power by a direct vote of the House.

The speeches of Mr. Merriman and Mr. Sprigg roused Mr. Molteno’s indignation. That Mr. Merriman, the most changeable member in the House, should speak of principle and consistency, and that Mr. Sprigg, who really was in favour of the Bill, should take the opportunity in specious words of making a bitter attack upon the Government who were doing their best to pass the Bill, was unendurable. On the one hand, some of the men who were opposing him said: ‘You are making too much of this small affair’; on the other, Sprigg and Merriman accused him of possessing no principles at all, and he was now led into one of those outbursts of fiery indignation which were characteristic, but which are dangerous, as passion does not always measure its language. We may quote the description of an eye-witness:—

Then followed the lion of the ministerial fold, who at once let loose his feelings of indignation at the irreconcilable and his friends. Turning here and there round the House, Mr. Molteno characteristically roared amid the cheers and laughter of the spectators at his assailants, and shouted his denunciations until the walls of the building almost shook. . . . Beginning with Mr. Merriman he hit him with his claw and completely knocked him over for his assurance and his audacity—political of course. He ironically called him a ‘paragon of consistency,’ and by way of variety labelled him a chameleon. Then the lion turned to Mr. Paterson and gave him a shake that made that simple member stare, then he rushed to Mr. Sprigg.

He pointed out that Mr. Sprigg was himself a supporter of the Bill, and why, then, had he acted as an opponent and accused the Ministry of want of principle, and



sought out the Commissioner of Crown Lands for special attack? It was because the hon. member thought he had been passed over, and ought to have been in the Commissioner's place. 'The hon. member for East London was in favour of the Bill, but he thought that this was a good and fitting opportunity to show his power in the House.' Finally he defended the course he was taking in these words :—

I disclaim any intention of threatening the House—indeed what threat is there in this? When the Government, finding that they could not carry a measure manifestly for the good of the country, said that it was time for the Ministry to retire, self-respect required such a course, and the good of the country required it. I had occasion when the hon. member for Port Elizabeth got up and made certain charges against the Government, to say that if such was the case, the sooner another Ministry was got the better; but is that threatening? Did anyone suppose that the Ministry would stand up and be insulted at every moment and not resent it? Was that the sort of Ministry the country wanted? If they did, they would not get it from the present one!

The subsequent political conduct of Mr. Sprigg, and most conspicuously when he took office under Mr. Rhodes in 1893, has shown that he does not attach to the firm adhesion to political principles that value and that importance which are commonly attributed to him, and which he at this time professed to assign to it. Mr. Molteno may have divined something of this character in his speech which was not apparent to onlookers.

Both the House and the country were thoroughly with the Premier, and the proviso was reinstated in the Bill by the triumphant majority of thirty-six to sixteen. The crisis induced an expression of opinion from the public journals, and we quote what was said by the 'Graaff Reinet Herald' (a former opponent of responsible government) :—

Whatever Mr. Molteno does, we trust he will not yield without an appeal to the country; we do not know the nature of the

division list as yet, but we feel that on this question, as well as on his general policy, the colonists would accord to Mr. Molteno their hearty support by an unmistakable majority. There can be no question that in the country districts the Molteno Cabinet has been justly regarded with the greatest satisfaction. . . . The country has been, and has felt itself most fortunate in its first Ministry, and were the question at issue of more importance than it is this conviction would induce the public to retain its services. . . . We sincerely trust that it will appeal to the country rather than yield, if the Parliament will not give it their support which the country will unmistakably accord to it.

The immediate result of the crisis was to enormously strengthen the Premier in the House, and when the great Railway Bill came on in committee, 'after the tremendously disciplinary treatment to which hon. members had been subjected two or three days before, they appeared as if they had not got a breath of living vigour in them.' All the Government lines were carried with hardly a division, and when the House did divide the Government majority was in the proportion of four to one. On the motion to deviate the Beaufort line to Oudshoorn and Robertson, Mr. Molteno said 'he did not underrate the claims of Oudshoorn and Robertson, but they could not accomplish everything by one line, the object of which was to get direct railway communication with the interior.' Undoubtedly a wise and sound policy.

Another matter presented itself which almost gave rise to a fresh Ministerial crisis, and in which Mr. Molteno had an opportunity of displaying that sound good sense and caution which he possessed in such large measure and which he now used to ward off a most serious evil from the Colony. Mr. Ross-Johnstone, member for Grahamstown, moved a resolution that the House should go into committee to frame measures for the importation of Chinese and coolie labour, and he received the support of Mr. Paterson and of many farmers who were desirous of more hands. Natal had recently begun to import this coolie labour, and the

serious evils of this course had not become so apparent as they are to-day, when all South Africa is crying out against the evil of Asiatic immigration. Mr. Molteno said he did not consider the course suggested an advisable one. 'There was already a vast amount of native labour in the Colony, if it could only be utilised, and he believed the time was not far distant when it would be. It would not do to ignore the natives, who must have some means of subsisting. Already 200 had arrived on the railway works at East London. . . . The natives were advancing in civilisation, and were beginning to understand labour better. . . . If we had immigration at all, what we wanted was a better class of labour introduced from Europe.' There was evidently a strong feeling in favour of the resolution. Mr. Solomon spoke against it, and on asking the Government whether they intended to stand by their opinion, Mr. Molteno in reply said :—

The Government does not approve the idea. I consider that the Government should not be forced into such a position. The hon. member for Colesberg (Mr. Distin) seemed to think that the Ministry was a sort of slave-driving affair, and must be whipped and coerced into this sort of thing, but it must be borne in mind that the Ministry are answerable for the welfare of the Colony. I could not therefore be an advocate of what I thought would do the country harm, I would rather give way to someone else. The Government are moving cautiously in this matter, and are not desirous of rushing in and upsetting every other interest, but if the House has no confidence in the course we are adopting, then I can't help it. It is as good a time as any for the opponents of the Government to enforce their opinions.

This was a clear statement that the Ministry would never consent to shirk their responsibility and put it upon Parliament, but would have the courage of their opinions, and only act upon such a policy as they themselves could support. The natives came down in large numbers to the railway works, and the necessary labour was obtained in this manner, and further by the importation of the skilled

artisans who were necessary to direct the raw native labour, and this was done under the immigration scheme of the previous session, and its extension in the present one. There is in South Africa a sufficient variety of races without the further complication of introducing Chinese and coolies to undersell the European immigrants, the latter are more desirable, inasmuch as they will eventually amalgamate with the existing inhabitants, and form one homogeneous people, which could never be the case with a Chinese or coolie population. Mr. Molteno's stand, made now at the risk of losing his position, saved the Cape Colony from a gigantic evil.

Mr. Molteno always acted as his own Chancellor of the Exchequer and so made the Budget speech;<sup>1</sup> he was enabled to announce a very flourishing state of affairs. There was a surplus of about 400,000*l.* The House Tax had been abolished last session, and this year the railway sub-guarantee was to be abolished. The loans authorised for public works had been unused as the surplus of revenue was so great. He pointed out that the remaining taxation was not oppressive, while the new works would give rise to a still larger revenue, and the Ministry proposed to put the surplus into railways, telegraphs, roads, and bridges. He said:—'We can do this without risk. We have a fine country, and we must endeavour to do the best we can with it.'

Mr. Molteno was the very opposite of sentimental, and this latter expression was the nearest he would go to the public expression of his love for the country. He had begun his colonial career in business, endeavouring, as we have

<sup>1</sup> The Hon. C. Abercrombie Smith, Auditor and Controller-General of the Colony, writes:—'In all matters of finance Mr. Molteno was his own Chancellor of the Exchequer, and notwithstanding the imperfections in the system of accounts already alluded to, his Budget speeches were eminently clear and satisfactory.' We may mention that his work on the Budget speeches and on other great occasions was done in the early hours of the morning.

seen, by all means to extend its trade. He had then become possessed of a considerable area of it, and had grappled with the physical obstacles which it presented to the efforts to produce food for man and beast; he had subdued it from its savage state, he had warred unceasingly with the wild animals which infested it and destroyed his flocks; he had channelled its watercourses to bring fertility to its fields, he had curbed and collected its summer floods in dams. He had fought for its security and defended it against the hordes of savages; he had developed the trade and communication of his district; he had served it in Parliament, and defended its people from oppression, and from cruel aspersions and slanders. He had struggled to make it constitutionally free, and had won the struggle after arduous and patient fighting, and now he was making good his word that its inhabitants could best work out their own destinies. He was bringing education and progress to the doors of all, and contentment, happiness, and prosperity to all its people. Simple words these: 'We have a fine country, and must endeavour to do the best we can with it.' But what a world of meaning when we analyse the warm feelings to which they give so inadequate an expression! They sum up the objects and purposes of his whole life, the good of the land which he had made such good claim to call 'his country.'

Miss Olive Schreiner<sup>1</sup> has drawn with skilful pen the character of the love which the Boer bears to 'Ons Land.' But in her analysis of the causes of that intense love there has been omitted that most potent of all factors, the love generated by going to the front, leaving home and all one's belongings and standing shoulder to shoulder in the fight for the very existence of the country. It has not been possible for 900 years for any Englishman to really feel this. He may have fought in foreign lands or in colonies for his

<sup>1</sup> *Fortnightly Review*, April 1896.

country's honour and renown, but he has never stood on the soil of England itself doing battle against her enemies who have invaded the land, have murdered his people, have destroyed his industry and his life's toil in one fell swoop of savage destruction; he has never seen brother, father, friend, fall at his side, pierced by bullet or quivering assegai; has never slept under the cold canopy of night, wrapped in darkness for a covering, and been suddenly startled by the wild neighing of the steeds tethered together, and the savage yell, made more unearthly by the confusion of night. We may all be ready to suffer and die for country, but we can never understand or possess the feeling of the man who has done this; not once but many times have South Africans had to do so; and Mr. Molteno added this to all his other causes of love for his country. We may well believe that he had imbibed his love of South Africa in large measure from his contact with the soil itself and his constant intercourse with its inhabitants, and when we think of this we can enter to a small extent into the sorrow of this noble and patriotic heart when he saw all his life's plans interfered with and terrible evils brought on his beloved country and its people by Lord Carnarvon and his agent, Sir Bartle Frere.

In his speech he further drew attention to the fact that all this prosperity was in large measure due to the tranquillity which the country was enjoying: 'The frontier was peaceful, and people generally, both natives and those of European descent, were satisfied, contented, and progressing.' What a world of meaning in these few words when we remember poor South Africa's history before and since this time!

Mr. Molteno had in this session the great pleasure of proposing an increase in the salaries of all civil servants. He had in times of adversity strenuously advocated retrenchment, and had endeavoured to carry resolutions cutting down the salaries of civil servants, but true to his principle that all should bear their share of the burden in times of

adversity, he now desired that they should have their share in times of prosperity, and an increase of 20 per cent. was granted. Nor was the Government unmindful of the mental progress of the country, and it introduced in the same session a Bill for the advancement of higher education, by which assistance was granted practically on the principle of the Government contributing an equal sum to that set apart by the leading colleges throughout the Colony in order to establish lectureships and professorships. Provision was made at the same time for the encouragement of public libraries and reading-rooms in the various towns of the Colony. This has been a most successful measure, and under it libraries of a very valuable character have come into existence in every important town in the Colony. We have already shown Mr. Molteno's appreciation of the benefits conferred by the Cape Town Public Library, and these he now desired to extend to the rest of the Colony.

Before the introduction of responsible government there had been some correspondence with the Free State Government respecting the construction of bridges over the Orange river, but no practical result had been arrived at. The question was vigorously taken up by the Ministry, with the result that authority was now granted by Parliament to construct four bridges over that river at a cost of 300,000*l.* We have already seen that this was part of the great scheme of facilitating intercourse between the Colony and its neighbours, so that when a federation came it would find no physical obstacles to contend with. Provision was also made for the appointment of an hydraulic engineer. An Act for the eradication of scab was passed and a sum of 45,000*l.* was voted for new Houses of Parliament.

This was the second session of the Parliament under responsible government, and what must we say of it? Was it answering the expectations of those who urged its introduction, or was it leading to mismanagement, and to

loss and to confusion, and what was the estimate of Mr. Molteno made by his contemporaries? We will take the verdict from a journal of the day which said :—

No session has been more fruitful in good works than 1874. It has been the very first year in which the new system of responsible government has been brought fairly to trial. Responsible government has proved a success beyond all question at the Cape of Good Hope, as it has done wherever it has been attempted elsewhere among a free and high-minded people. . . . And first as to the Premier. As somebody said about Lord Palmerston in the House of Commons, ' We are all proud of him.' He has his faults, and we have never shrunk from telling him about them, as we mean to do once more presently. But he is honest as the day, he is above even the suspicion of trickery or unfairness of any sort whatsoever ; he is the very embodiment of common sense—and a very considerably large embodiment it is ; he is personally independent and broadly intelligent, and altogether as capital a representative of a burly, rough-and-ready, and thoroughly patriotic colonial as any Colony in the Empire could desire to see at the head of its affairs ; but just on account of the very strong development of all these robust virtues, there are corresponding defects. At the very head of his defective offences we shall state the fact that he is entirely incapable of understanding a joke, which considering that he is not a Scotchman is somewhat marvellous. Next he is constitutionally incapable of appreciating any of the fine lines of constitutional principle which are constantly arising from session to session. And lastly, he has an impetuosity of temper which, without his being himself in the least degree aware of it, has got him into trouble oftener than once during the session that is now over.

There is no doubt that Mr. Molteno was the leading figure of the Parliament and of the country. We have seen how fearful the members were, one and all, that they might lose his services and be unable to replace him. This session had accomplished a vast amount of good for the country. It was unfortunately the last in which the country was to be left to the management of its own affairs free from that disastrous interference from afar which was soon to bring such calamities upon South Africa. All was fair, yet soon a cloud was to arise, a small one, but yet of the type heralding violent



disturbances. It was at the end of this year that Lord Carnarvon's first great public act in connection with South Africa took effect, and it was the Llangalibalele affair which afforded him an excuse for interference. Of this more anon.

Mr. Porter had issued a farewell address to the electors of Cape Town and had proceeded to Europe. Mr. Lynar, who had been his close friend before he left Ireland and had come out with him and been associated with him ever since, had died. This blow coupled with failing health determined Mr. Porter to make a change. The expression of regret was universal and deep-felt. No man had ever been more beloved by a whole country, and more worthily; to Mr. Molteno his loss was much more than it would have been to most men. Mr. Molteno did not readily make friends; he was by nature reserved and self-reliant, and did not feel that strong, gregarious feeling which belongs to most weaker mortals. Reliance on himself had been a necessity for him through his whole lifetime, but he had yielded to the charm of Mr. Porter's character; they had been friends from the first days of the Colonial Parliament, and such a friend was invaluable. His departure came as a severe blow. In this session, likewise, Sir Christoffel Brand owing to failing health had been compelled to resign the Speakership. He and Mr. Molteno had always been friends, as had his son the late President Brand, and their friendship also was lifelong. As Speaker of the Parliament since its foundation he had given dignity, decorum, and freedom to its deliberations. Of the older men who had done doughty deeds in the Parliament of the fifties and sixties, Mr. Solomon and the Ayliffs were now almost the only survivors. There had been no serious or organised opposition to the Government, but Mr. Solomon had taken occasion to show his power both to the Ministry and to the House, and Mr. Sprigg had been making bids for parliamentary influence.

## CHAPTER XI

## LORD CARNARVON AND LANGALIBALELE. 1875

**Langalibalele Outbreak—Mr. Molteno assists Natal—Bishop Colenso's Agitation—Letter of Protest—High-handed action of Lord Carnarvon—Excitement in Natal—Despatches—Mr. Molteno meets Lord Carnarvon's Wishes—Constitutional Question—Debate in Parliament—Existence of Ministry at Stake—Letter of Mr. Froude—New Houses of Parliament—Congratulations on success of Responsible Government—Work of Session of 1875—New System of Accounts—Extension of Colonial Boundaries—Annexation of Roast Beef and Plum Pudding Islands—Walfisch Bay—Transkei Native Policy—Lord Carnarvon approves Native Policy.**

IN the early part of 1874, Earl Carnarvon had succeeded to the Secretaryship of the Colonies in succession to Lord Kimberley. The latter had had the great satisfaction of seeing his policy of non-interference in the internal concerns of the Cape Colony amply rewarded. In the matter of responsible government he had said the choice lay with the Colony itself: if they decided with Sir Philip Wodehouse to strengthen the Executive he would endeavour to work with the Colony on those lines, but if they preferred responsible government, he would do his best to make that a success. The Colony under Mr. Molteno's guidance and leadership chose the latter, and we have seen what rapid progress it was now making, and what new life and vigour had been introduced into the government of the country. Lord Kimberley had exercised the same wise discretion in the case of the great petition from the east for separation from the west—and had advised the petitioners to apply to the local Parliament. This thorny question which had divided the Colony into two hostile camps for many years, and had at one time completely paralysed the legislation of the

country, had now entirely disappeared and the Colony had become one united country never to be separated. Lord Carnarvon had, however, come into power, and, in the words of Mr. Froude, regarded himself and his friends as empire makers, while their opponents were the empire breakers. The lease of life which they now enjoyed was to be used in making so much empire that no iconoclastic efforts on the part of their opponents on their return to power would be capable of destroying the good work. But their lease of life might be short and therefore no time was to be lost. A very noble purpose, more noble in its conception than wise in its execution. England's empire was not made in a 'cast-iron hurry,' to use an American expression, and, as we shall see, nothing was gained by England and terrible were the losses to South Africa caused by departing from the well-known ways of solid and steady progress which had hitherto been followed, and attempting to mould unwilling communities into an artificial union.

It cannot be too clearly pointed out how successfully the Cape Colony was coping with all its difficulties, and solving those intricate problems of race amalgamation and the proper relation of the white races to the coloured ones, when the interference of Lord Carnarvon led to the opening up of old sores and to wars with the natives, war with the Transvaal,—indeed, to all the troubles of a political character with which South Africa has been since that period so grievously afflicted.

We have already referred to the part the Cape Colony took in the capture of Langelibalele and the effective and sympathetic aid which it gave to the sister colony of Natal,<sup>1</sup> and for which it received the thanks of the Government and the Legislature of that Colony. The chief was tried by a court constituted *ad hoc*, and presided over by the Governor

<sup>1</sup> See p. 229.

as supreme chief of the natives of Natal. It was necessary to try him and punish him, but the common law and the ordinary courts were not cognisant of any offence for which he could be tried. He was sentenced to banishment for life, and his son Mahlambule for five years, while his tribe was dispersed. It would have been dangerous to keep him in Natal, as he could not have been properly guarded or isolated from his people. There was a precedent for putting recalcitrant and dangerous chiefs on Robben Island, a small island in Table Bay. Macomo, the greatest general known to the natives, who took and held possession of the Eastern portion of the Colony for three years in spite of all attempts to eject him, until expelled by Sir G. Cathcart, had lived and died in exile there. Umhala, the most crafty and politic of Kaffir chiefs, together with others, was kept there for a time until pardoned. Lynch, whose inspiration sustained the enthusiasm of the Hlambis when they conquered the Gaikas with great slaughter and drove them out of their country, had perished in his attempt to escape from the island. Langalibalele was of higher rank than all these. It seemed natural to place him here where the most effective means could be adopted to prevent him regaining his country. The Natal Government in consequence asked for the further aid of the Cape Government. Mr. Molteno thought secure custody of the chief a matter of so much consequence to the peace of the whole of South Africa that he agreed to ask the Cape Parliament to pass an Act legalising Langalibalele's reception and detention on Robben Island.

For this purpose he introduced an Act, known as Act No. 3 of 1874, and said that in the common interests of South Africa they were bound to help in this matter, in which their own tranquillity was involved. Mr. Solomon opposed on the ground that the trial was highly irregular, and further said we were interfering in other people's business. Mr. Molteno said we could not examine

into the trial; we had no such power to investigate the matter. The Act was then passed by an overwhelming majority.

Meanwhile Langelibalele had found a powerful defender to champion his cause. Bishop Colenso, with a stern and pure sense of abstract justice, had seen with pain the steps which had been taken by the Natal Government in the matter. He proceeded to England and there raised an agitation against the Natal Government. The 'Times,' he 'Spectator,' and various papers and magazines had articles on the subject. It is always easy to raise feeling on native questions in England, where the ignorance of the particular issue is necessarily great, and when one side does all the agitating, a proceeding very dangerous to the peace of South Africa, for pressure is thus exercised on the Secretary of State for the Colonies, not by the intrinsic merits of the case, but by the amount of clamour raised.<sup>1</sup>

Such pressure was now brought to bear on the Secretary of State, and mail after mail arrived laden with English newspaper articles of the most alarming character, condemning the colonists generally, making out that Langelibalele had been most scandalously and cruelly used, and that nothing would suffice but that he should be set at liberty and have his property restored to him.

When Mr. Molteno saw such articles in the 'Times' and other influential papers he began to be alarmed at the state of affairs, and though the Cape Colony had not been consulted in any way on the matter, he thought it his duty to place before the Governor for transmission to the Secretary of State what he considered would be the serious results to the Colony of any absolute reversal of the policy already taken in regard to Langelibalele.

<sup>1</sup> Sir G. C. Lewis had long since drawn attention to the grave difficulties caused by interference of this character in the affairs of a dependency. Lewis on *Government of Dependencies*, edited by Lucas, p. 247.

*Hon. J. C. Molteno to his Excellency Sir H. Barkly,  
K.C.B., G.C.M.G.*

Colonial Secretary's Office, Cape Town : December 24, 1874.

MY DEAR SIR,—Judging by the articles and correspondence in the 'Times' and other English newspapers lately received, it seems that Bishop Colenso has carried out his intention of agitating on the Langalibalele matter, and is endeavouring to create an impression that he has been cruelly and unjustly punished. In the absence of anything which would indicate the view her Majesty's Government would be likely to take, I confess to some anxiety lest they may be induced to yield to pressure in the direction of releasing the two prisoners now on Robben Island, the effect of which on the peace and security of this Colony might be most disastrous.

Whatever exception may be taken to the proceedings of the Natal Government throughout this unfortunate business, certain prominent features must not be lost sight of.

It is unquestionable that Langalibalele deliberately intended to and did defy the Government, and that, had he not been made prisoner quickly, the probability, indeed almost certainty is, that very serious disturbances would have taken place amongst the native tribes within and immediately beyond this Colony, to say nothing of Natal, which if once commenced, there is no telling where they would have ended, and what would have been the ultimate consequences.

Secondly, that with all native tribes, the one opinion and idea is, that this chief has defied the Government, has been checkmated and defeated in his purpose, and is now justly undergoing punishment ; indeed, that he has been leniently dealt with.

Should he now be released, the idea with these people will be that it is from fear and distrust on our part as to the success of our policy ; consequently our difficulties in the management of the natives would be increased enormously, so much so that it would be impossible for us to preserve peace and the satisfactory state of affairs which has now existed for the last twenty years and upwards, in which case the question would necessarily arise, as to whether the Home Government would leave us to ourselves to bear the brunt of a policy essentially their own.

But this is not all, for while it is quite possible that British power, which has spent so many millions and sacrificed so many lives in an Abyssinian Expedition, and lately on the West Coast of Africa, may say, no matter at what cost, we are determined to

enforce our views of what we consider abstract justice in this case of Langalibalele, what would be the position of the colonists and white inhabitants of the whole of South Africa? To them it would be a question of life and death; their property would be sacrificed and their lives imperilled to a fearful extent should anything like a war of races be now brought about.

Every year that now passes strengthens our position and renders any serious disturbance of our relations with the native tribes less and less likely; but should a war be now brought about, it would certainly not be a small one, and, no matter what the result, could not do otherwise than throw back the civilisation in South Africa for an indefinite period.

If it were possible to get all these circumstances properly considered and weighed by British statesmen, I feel sure that they would hesitate to take steps which would certainly tend to bring about such a state of things, simply because to the nicely balanced judicial minds of a few enthusiasts, the proper forms of trial have not been adhered to, and perhaps more severe measures in regard to the mass of the people of the rebellious chief have been resorted to than was warranted, but which latter has since been redressed as far as possible.

Under any circumstances I feel it is necessary that her Majesty's Government should be fully informed as to the consequences likely, in the opinion of those supposed to be in a position to judge, although not responsible for what has been done in Natal, to ensue.

It will be for your Excellency to judge in how far it will be advisable to inform her Majesty's Government of the view taken in this matter before any definite action is perhaps taken.

I remain, &c.

J. C. MOLTENO.<sup>1</sup>

The consideration to which attention is drawn in this letter is at the bottom of all the difficulties which have attended and must attend a policy which endeavours to control native relations from afar in accordance with a distant and ill-informed public opinion, while the results of this interference must ever be felt on the spot. It is colonial territory which is invaded, and colonial homes and property which are destroyed, and however ready the

<sup>1</sup> C. P., G—46, 1875, p. 5.

Imperial Government may be to send succour, such aid can only come into effect when the destruction has already taken place.

The note was forwarded to Lord Carnarvon by way of warning that things were not altogether as they were represented to him, and that the colonists were much alarmed at what was going on at home. Unfortunately it did not arrive in time to be of any effect. The decision had already been given and the whole matter concluded before the Cape Colony had had any opportunity of being heard at all, and to the surprise of the Ministers the mail brought Mr. Shepstone with despatches to the Cape Government and that of Natal. The despatch to the Government of the Cape was dated the 4th of December, and announced that :—‘ It will be seen that it had been decided that Langalibalele with Mahlambule shall be removed from Robben Island to a location to be set apart for them within the Cape Colony, and shall be prohibited from re-entering Natal.’ It further declared that the Cape Act, No. 3 of 1874, would be disallowed by her Majesty. Thus the decision of the Imperial Government on a most momentous question had been come to without the slightest consultation with the responsible authorities of the Colony ; indeed, the Government had been entirely ignored. This was the first of a series of decisions affecting the most vital interests of the Colony, arrived at by the Secretary of State without any previous consultation with the authorities of the Colony chiefly concerned.

Mr. Shepstone on discovering the difficulties in the way of meeting Lord Carnarvon’s wishes, or rather commands, seemed very much surprised, and said he felt certain that Lord Carnarvon had no desire or intention to dictate to the Cape Colony. The serious character of the interference with the constitution of the Colony was immediately apparent to Mr. Molteno, and he did not hesitate to express this view to the Governor as soon as the despatch was received.



Mr. Molteno informed the Governor that he could not comply with the wishes of Lord Carnarvon, for as soon as the despatches were published he felt certain that the political existence of the Ministry would not be worth a day's purchase unless they could show that they had properly vindicated the rights of the Colonial Legislature. The interference of the Home Government in the management of native affairs had taken place without consulting either the Legislature of the Cape or the Natal Council. The explanatory proclamations to be addressed to the natives of Natal as to the cause of Langalibalele's arrest were specially objected to on the ground that they would be well known all over the Transkei to Krela and other native chiefs, and would lead them to suppose that the authority of the Government might be set at naught with little fear of the consequences, so long as they could get some missionary to go to England and plead for them.

Although the Governor combated these views, and assured Mr. Molteno that he felt certain it was never the intention of the Secretary of State to pass over the Cape Government in the matter, or to act contrary to its wishes, yet he felt bound to forewarn the Secretary of State that the feeling of the country had not been misjudged, and that it would be loudly and unanimously in favour of the views embodied in the Minute of the Ministers, which refused compliance with the Secretary of State's plans. The Governor, when arguing with Mr. Molteno, let fall the remark that the refusal of the Ministry would give an unfavourable idea at home of the working of responsible government. Mr. Molteno replied that on the contrary it was most fortunate that the change had taken place, for the indignation and excitement occasioned by the '*Times*'<sup>1</sup> article would have been tenfold under the old system, and

<sup>1</sup> Not alone in South Africa did the *Times* do injury to our colonial relations. We may compare the effect of the article referred to by Mr. Molteno with that

as to the Governor attempting to locate Langalibalele on the mainland of the Colony in virtue of his own authority, such a step would have caused a revolution.

The Minute referred to above stated that Ministers were prepared to do all in their power to carry out the wishes of the Imperial Government, and that—

they cannot do otherwise than express their very great regret that the Imperial Government should have adopted a course of action which it is feared will prove to be most detrimental to the peace and security of this Colony and of South Africa generally; and further that while it would at all times be the earnest desire of the Ministry to co-operate with the Imperial Government, occasions may arise when it would be impossible to do so without sacrificing the interests of the Colony; such an occasion seems now to have arisen—this Government cannot give its consent to Langalibalele and his son being removed from Robben Island to a location to be set apart for him within the Cape Colony under strong restrictions against re-entering Natal. The Government would have no such power for enforcing any restrictions upon Langalibalele if he were transferred to the mainland, the immediate result would therefore be that he would again find his way to Natal. Ministers cannot avoid noticing that the Imperial Government whilst exercising clemency to this chief and his son by assigning them to a location within the Colony is giving the Colony no opportunity of expressing its opinion as to how its interests and rights would thereby be compromised or affected.<sup>1</sup>

The Ministry went on to say that if Act No. 3 of 1874 were disallowed the action of the Cape would virtually be set aside, and the only course would be to return Langalibalele and his son to Natal, but as this would appear to be in opposition to the desire of the Imperial Government, they would be glad to learn in what way this Government

of which Lord Dufferin, then Governor-General of Canada, wrote to Tennyson from Ottawa, under date of 25th February, 1878 :—

‘Your noble words have struck responsive fire from every heart, they have been published in every newspaper and have been completely effectual to heal the wounds occasioned by the senseless language of the *Times*.’

*Life of Lord Tennyson*, vol. ii. p. 144.

<sup>1</sup> C. P., G—46, 1875, p. 4.

might be relieved of the charge of these persons as soon as the Act ceased to be allowed.

The excitement in Natal was very serious. The impression had got abroad that Langelibalele was to be immediately released. The alarm was general and widespread. The Natal authorities, when they found that the Cape Government was not in a position to give effect to Lord Carnarvon's despatch, were desirous of withholding the publication of the despatches and the accompanying proclamations to the natives, but in consequence of the state of public feeling it was deemed advisable to publish them immediately, with an explanatory proclamation from the Governor himself, pointing out that the chief would remain at Robben Island until the Secretary of State could be made acquainted with the difficulties in the way of pursuing the course he had indicated.<sup>1</sup> In reply to the despatch of the Governor covering the Minute of Ministers. Lord Carnarvon replied that by the course proposed he had hoped to render unnecessary all detailed discussion on the subject of Langelibalele in England, by being able to assure both Houses of Parliament that through the co-operation of the Cape Government, the matter so full of importance was already settled. He stated :—

It would be superfluous for me to say that the Imperial Government has never entertained a thought of dictating to your Ministers the course which they were expected to pursue in matters as to which, by the constitution of the Colony, they may properly claim to be responsible, and if such assurance is necessary I can sincerely and readily give it to you.

He pointed out that a deficiency of legal power to control the persons of the prisoners was a defect which could clearly be removed by legislation, and desired the Governor to press strongly on his Ministers that they should, without delay, propose to the Legislature such an enactment as will

<sup>1</sup> *I. P.*, C—1187, p. 9.

invest them with the power which they are advised they do not now possess.

. . . I feel sure that I shall not be misunderstood if I earnestly remind you of the strong desire felt in this country to see this question finally disposed of in such a way as may generally satisfy the justice of the case, and may secure the peace of the South African Colonies. Nor need I say how sincerely the ready co-operation of your Government and Legislature in that behalf would be appreciated, or, on the other hand, how greatly it would be regretted if, in the course of the discussion which must inevitably arise out of the detention of the prisoners in Robben Island, the good feeling which happily subsists between this country and one of its most important dependencies should be, even in the smallest degree, impaired by any imputation that the Cape Colony had in a grave Imperial difficulty failed to evince that desire which I feel satisfied is very widely felt to assist her Majesty's Government in a question in which the justice and honour of the British Crown are involved.<sup>1</sup>

To this despatch the Ministers replied in a further short minute, stating that they desired the Governor to assure the Secretary of State for the Colonies of their earnest desire to render their assistance (so far as was compatible with the interest of the Colony) in finding a satisfactory solution of the difficulty, and with this object in view a Bill would be prepared and submitted to the Legislature in the ensuing session for repeal of Act No. 3 of 1874, and for substituting other provisions for the detention of Langalibalele and his son on the mainland, and for carrying out in other respects the desire of the Imperial Government.<sup>2</sup> Public feeling was seriously roused by the action of the Secretary of State in not taking the Cape Government into his confidence in a matter which so vitally affected its interests. It was clear that he had no intention of consulting the local authorities in matters of the most vital importance, but seemed to be imbued with the idea that the position of the Cape had remained as it was when he first became Secretary of State

<sup>1</sup> C. P., G—46, 1875, p. 9.

<sup>2</sup> C. P., G—46, 1875, p. 10.

in 1866; and when his mere fiat was sufficient to over-ride the local authorities. He failed to realise that with the introduction of responsible government English statesmen and the English crown had agreed to hand over the legal and constitutional control to the Governor of the Colony of the Cape of Good Hope, acting only by and with the advice and consent of his advisers, who should be responsible to the Legislature of the Colony for such advice as they might tender to him.

Owing to the feeling raised in England by the partisan statements of Langelibalele's defenders, it had become necessary to make some concession to public opinion. It was impossible to grant all that was demanded without, in the opinion of the best judges, involving South Africa in war and bloodshed. If a sop must be given to Cerberus, let it be something with merely the appearance of reality, but which public opinion in its ignorance would take as a substantial concession.

To meet this view Lord Carnarvon had proposed that Langelibalele and his son should be removed to the mainland, where it was alleged his surroundings would be more agreeable, and the supposed association with criminals and lunatics would be obviated. When the matter had originally come up, the precedent of Robben Island as a location for recalcitrant native chiefs had naturally been followed. It is, however, more than probable that had the original suggestion been to place Langelibalele on the mainland the Cape Parliament would never have consented to such a course, looking at the greater facility for escape as compared with isolation on Robben Island. Mr. Molteno came to the conclusion that having in view the excited state of public feeling in the mother country, it would be best, as the lesser of two evils, to run such risk as there might be of Langelibalele's escape from the location which might be assigned to him on the mainland, and he agreed, greatly

against his inclination, to make sacrifice of his own personal feelings, and by doing his best to carry the measure in the Cape Parliament, to give effect to the wishes of the Secretary of State. When the despatches were published the conduct of the Ministry in vindicating the constitutional position of the Cape Colony, as they had done in their first minute, was universally approved.

The course pursued by the Governor in connection with the despatch from Lord Carnarvon gave rise to a protest from Mr. Molteno and to the settlement of the constitutional mode of procedure to be observed upon the receipt of despatches from the Imperial Government. In forwarding a copy of the despatch Sir Henry Barkly had accompanied it with a memorandum strongly urging upon his Ministry compliance with the wishes of the Imperial Government, contained therein. To this course Mr. Molteno took exception in the following letter :—

March 19, 1875.

MY DEAR SIR,—I wrote you a hurried note yesterday, shortly after receiving copy of Lord Carnarvon's despatch about Langalibalele, together with an elaborate memo. from your Excellency, and promised to let you have the decision of the Cabinet, if possible, to-day, on your return from Simon's Bay. I had no opportunity yesterday of conferring with my colleagues on the subject ; to-day there will be a meeting of the Cabinet, but the change in the usual course adopted by your Excellency with despatches from the Imperial Government affecting Colonial interests places me somewhat in a difficulty, and I deem it advisable not to formally bring this despatch before the Cabinet until I have had an opportunity of communicating with you on the subject ; this your absence from town prevents my doing without delay otherwise than in writing, while you express your desire to be in a position to communicate whatever decision may be arrived at to Sir Garnet Wolseley, who may be here to-day, and meet your Excellency before I can see you. On the morning of the arrival of the mail bringing the despatch in question, your Excellency, with your usual consideration, forwarded the same at once, intimating in the accompanying note that you did so, knowing the anxiety which prevailed on the subject, 'reserving to yourself the

right of afterwards adding what may be requisite for your own sake,' requesting that the despatch might be returned at once for that purpose. This was done, and then followed what is stated in the first part of this note, upon which I beg to offer the following remarks. The despatch itself has not yet been formally before me or considered by the Cabinet. I have only received the copy and memo., which deviation from the usual course, in my opinion—I state it with great diffidence, my knowledge of forms of proceeding in such cases being so very limited compared with that of your Excellency—involves important considerations of a constitutional character, supposing it to be adopted as a general rule with despatches of this nature. The Governor would express and enforce by argument his views before or at the time of seeking the advice of his responsible advisers. Taking an ordinary common-sense view, this appears to me embarrassing, and likely to lead to the obstruction of business—his advisers might come to the same conclusions, but on very different grounds, and for other reasons; a simple acquiescence would not do if they are not to be held responsible for same—they must go further and state the particular views and reasons which guide them in their conclusions. Does it not seem like reversing the proper order of things for the Governor to take this course? Would it not come better if, in the event of a difference occurring, the Governor should then take action in the manner now done? Apart from the constitutional and common-sense views of the question, it likewise appears to me that in the present instance, at any rate, the course adopted may lead to embarrassment, and tend to defeat the object your Excellency has in view. The Parliament and Colony generally might resent the position the Ministry would inevitably be placed in; instead of the advisers of the Governor they would be looked upon as merely acting upon his advice, and entirely influenced thereby.

These are the views I hold, and I feel sure that, entertaining them, your Excellency will agree with me in thinking that it is my duty to express them, thus following up and adhering to the frank and cordial manner in which all questions and business between us has hitherto been discussed and carried on.

Believe me, my dear Sir,

Yours very truly,

(signed) J. C. MOLTENO.

His Excellency Sir Henry Barkly, &c. &c.

To this the Governor answered verbally that it had appeared to him that the question had arrived at such a

stage that he could constitutionally point out to his advisers where he differed from them, but if their decision had yet to be made and they thought his memorandum would embarrass them, he begged Mr. Molteno to consider it for the moment as a private communication to himself.

The latter held strongly that his opinion was in accordance with all constitutional precedents; and that the Cabinet should first deliberate and discuss any question brought before it by the Governor, and should then embody their decision in a representation by minute or verbally, by which course their responsibility to Parliament was properly maintained. We shall find Sir Bartle Frere complaining of this mode of procedure, and eventually it was one of the contributing causes which led to the dismissal of Mr. Molteno's Ministry.

As soon as Parliament met a Bill was introduced by the Ministry to give effect to the undertaking which they had given to the Secretary of State. Before the discussion came on various caucus meetings took place between the members who were generally hostile to the Ministry and others whose views were less pronounced, and for the first time since the introduction of responsible government, an organised opposition appeared to threaten the existence of the Ministry. Mr. Molteno introduced the Bill in a speech of considerable length, meeting by anticipation many of the arguments which were certain to be used by the Opposition. After reading the chief provisions of the Bill and recounting the history of the question, he stated that the supreme principle upon which the Government were acting in introducing this measure was the defence, the safety and the security of the colony, and he urged members not to allow any extreme notions of theoretical philanthropy to lead them into risking their country being over-run by natives. The Colony had now to look to its own defence, and he urged them therefore



not to upset for mere trifling reasons a policy which was likely to insure to the country freedom from such results.

In due time (he said, referring to the history of the question) we got an answer from England which has also been published. I shall be obliged to read extensively from that, for it is in consequence of this despatch that I am now addressing you and pressing on you the necessity of passing this Bill. We are informed by Mr. Shepstone that it was never the intention of the Home Government to assume any dictatorial policy with regard to the Cape; and here let me state that I do not think the Home Government have any right to dictate to this Colony. But I do not consider this despatch written in a dictatorial style, and I should be sorry if hon. members considered it so, or if they were led away by certain gentlemen who entertain extreme views on matters of this sort. I am certainly somewhat surprised that many of those hon. members who opposed the introduction of responsible government would now endeavour to defy and rush against the wishes of the British Government in this matter, when really the case does not require it. No man in the Colony would stand up more for its rights and privileges than myself, if they were infringed upon in any way whatever. I would be the last man in the world to give way to anything of the sort, but to make a stand on a mere nothing at all (A voice, 'Principle.')—Well, what is the principle? I am really anxious to hear the views of those hon. members who talk so much about principles. I say, here is a very reasonable request from Earl Carnarvon; and although we have got responsible government, we are not entirely independent. You must, to a certain extent, admit a certain amount of control, and when written to in this kind of way, is it necessary to fly off at a tangent, and refuse such a reasonable request? We have, I hope, practical common sense to deal with here, and most members can understand the tone and tenour of this despatch. I know certain hon. members, to suit their own purpose, are bent on a particular course of action, but it will be for other members to see how far they are influenced thereby, and whether they will not take their own course, instead of allowing themselves to be led away. I am sure that a refusal to comply with this request will lead to complications that we cannot see the end of now, and I hope that hon. members will clearly look that matter in the face. The despatch from Lord Carnarvon plainly shows that he has considered the whole matter and all the alternatives. And what is it you are asked to do? If any other Ministry had been in office, could they, under the diffi-

cult circumstances of the case, have acted otherwise? If they did not send an answer in the affirmative to the Home Government, I maintain that they ought to have been dismissed with disgust by the whole Colony. They would have been too narrow-minded to be entrusted with the management of the affairs of the Colony, and if they had been sent about their business, they would have richly deserved such a fate had they taken upon themselves to send any other answer than was the case. Someone has said that we ought to have entered into a long argument on the matter, but that I consider would have been most inexpedient; and I am prepared to stand or fall on the assertion that the answer sent to the Home Government, whatever the decision of this Legislature may be, was a fair and proper one, and such a one as this Colony would desire to have been returned.

It was charged against the Ministry that they clamoured for responsible government and got it, and then the first thing they did was to allow their native policy to be interfered with. People who use this argument (he said)

seem to think that the proper use of responsible government is to defy the Home Government on every trifling matter. That is not my view, though I persistently fought for responsible government, and I am glad to say we have got it. It ought never to be stretched or used in that narrow or illiberal manner, and we should not refuse reasonable co-operation just because we have the power.

And after pointing out the effects of the combination of the members supporting these two different views among the Opposition, he continued:—

It would certainly not tend to our advantage to come into conflict with the Imperial Government, considering what they have done for this Colony in times past, and the money that has been spent in the defence of the country; let no one forget that when asked this trifling concession. Do not turn a deaf ear to so reasonable a request. No one is more ready to stand up for the rights of this country when they are assailed than myself; but there is nothing of the kind in this matter at all, and there is no occasion to make a stand—reserve that for some occasion that is worthy of it. I cannot sufficiently impress upon the House the suicidal policy of attempting to raise the question with the Imperial Government, which is now exhibiting such an interest in South African affairs.

As we have seen, the opposition to the Bill was based chiefly upon the ground that Langelibalele had been unjustly dealt with, and also on the principle that, however much the matter had been softened down, it still remained the most serious interference with the internal affairs of Cape Colony. Moderate men such as Mr. Vintcent opposed the Bill on the latter ground, for they said they must be loyal to their local institutions. Mr. Solomon supported the Bill, though subjecting the Government to very severe criticism in having at any time agreed to receive Langelibalele. Strangely enough the old Conservatives, who had resisted responsible government tooth and nail, made common cause with the Opposition, and in the strongest manner taunted Mr. Molteno with abandoning those principles of independence and non-interference from afar, of which he had been a most strenuous advocate. It is clear they now thought the opportunity had come for exacting vengeance for their previous defeat. Mr. Sprigg again talked loudly of principle, and stated that the Ministry ought to have resigned, and that had they done so, not five men would have been found in the Colony to carry out Lord Carnarvon's wishes; he contended 'there were five men in the House who would not bend the knee to Baal by yielding to a conciliatory letter from the noble Earl.'

Mr. Philip Watermeyer supported the Bill. He took a wider and more liberal view, and said he thought they 'should all give what help they could towards the solution of a difficulty which might affect the welfare of the empire. They ought to avail themselves of the opportunity to show that, although they had responsible government, they would act in that spirit, although according to some the opportunity might be a good one for showing their independence.' The existence of the Ministry was practically at stake, the opposition had been of a more serious character than on any previous occasion, and the debate had extended over a

longer period than any previous one since the introduction of responsible government. Indeed, the position had become so serious that the question of a dissolution had been discussed, and the Governor had assured Mr. Molteno that he would agree to a dissolution in the event of the Bill being rejected. The issue at one time appeared very doubtful, and the Governor reported to Lord Carnarvon 'that so strong an opposition manifested itself shortly afterwards in Parliament that it became quite impossible to foresee in what shape the measure would ultimately pass.' He was, however, at length 'in a position to announce officially to your lordship that, thanks to the firm and conciliatory attitude of Mr. Molteno and his colleagues after long and stirring debates in the Assembly,'<sup>1</sup> the Bill was carried by thirty-four to twenty-one, a substantial majority, and was also steered through the Upper House.

It is important to observe, apart from the question immediately connected with this debate, the statesmanlike view which Mr. Molteno held on the relations between the Colony, with its newly-acquired independence and the mother country. He recognised the sacrifices which had been made by the latter in the interests of the Colony, but at the same time he felt that the Colony would act most wisely, both for itself and for the mother country, if it maintained intact all the rights and all the privileges which had been conceded to the Colony. True loyalty was loyalty to the local institutions which had been established by England herself, although the very principles which England herself most cherished might, when acted upon in the Colony, lead to a conflict between the Secretary of State and a colony which was jealous of them and intended to maintain them.

We shall find, unfortunately, that although in this case the Secretary of State had taken up a conciliatory attitude, and had receded from his original position as to the removal

<sup>1</sup> *I. P.*, C—1842-1., p. 82.

of Langalibalele to the mainland on his own authority, yet in this very session, in spite of his assurance of non-interference, a proposition was to come before the Legislature interfering in a most vital and essential manner with those affairs which were, to use the very words of Lord Carnarvon, 'reserved by the constitution of the Colony for its own decision and management.'

Mr. Molteno had risked the political existence of his Ministry in order to aid Lord Carnarvon and assist him out of a difficulty which he had been largely instrumental in bringing upon himself. It might have been expected that he would have experienced some political gratitude for this, but we shall see in what manner he was subsequently treated, when he was consistently maintaining the interests of the Colony, though he received Lord Carnarvon's formal and official thanks for what he had done to help him in this matter.

Mr. Froude, whose connection with South African politics will occupy a prominent position in the following chapters, had recently visited South Africa nominally as a tourist, but in reality, as after events were to show, as Lord Carnarvon's agent. He had interested himself strongly in the Langalibalele episode, and the following correspondence between himself and Mr. Molteno is interesting for more reasons than one.

*Most Private.* 5 Onslow Gardens, S.W. : February 9th, 1875.

MY DEAR MR. MOLTENO,—I have many things to say to you on which I will write in detail in a few days. There is an earnest desire on the part of the Secretary of State to compose the differences with the two republics in a manner which will give satisfaction both to them and to yourself. There are other questions affecting the management of the natives on which I believe that your advice as well as theirs will shortly be asked for, and some approach be obtained, unless I am over-sanguine, towards establishing a more uniform and rational system throughout the various States of South Africa. It is not unlikely that in a few months you will see me again in Cape Town. At all events you may calculate on the most earnest desire of the Secretary of State to consider the true interests of the

whole country. I need hardly tell you that he wanted no assurance from me to appreciate the high qualities of yourself, or to learn how admirable an adviser the Queen's representative has always found in you.

I can only most earnestly hope that the good work which is intended may not be interrupted by a misunderstanding on the unfortunate business which determined me on returning so hastily to England. Let me assure you first that the thought never crossed Lord Carnarvon's mind of *dictating* to the Cape administration on the course to be pursued towards Langalibalele. It is never possible to allow completely for the opposition of sentiment which may exist on important questions between two countries so differently circumstanced as Great Britain and the Cape of Good Hope. Lord Carnarvon was so conscious of having done his utmost to consider your feelings, he knew so well that the resolution at which he had arrived was the very least in which the English Parliament and people would acquiesce, that he assumed that you would recognise his good intentions, and would assist him in anticipating any angry discussion by consenting to carry them into effect. The object was to be able to tell Parliament on the opening that the matter was settled. If his intended statement was to be made with a qualification that he must wait for your acquiescence, it would have implied a doubt as to the sentiments of the Cape Administration and Legislature, which England in its present mood would regard as a reflection upon you. But more than that it would have left the subject still open for discussion, and an exasperating debate could hardly have been avoided.

I am heartily sorry that in consequence of the reply which you felt yourself obliged to return, matters cannot now go off with the quietness which was so earnestly desired. It is necessary for Lord Carnarvon to make an immediate statement in the House of Lords. The papers must be laid on the table. I believe, indeed, that they are already published. Mr. Brownlee's paper, which accompanies your letter, implies a desire to challenge fresh examination into Langalibalele's guilt. Whatever may have been the case with respect to himself personally, the proceedings generally in Natal were such as you yourself do not defend, and which it is surely on all accounts desirable to cover and forget.

I reported to Lord Carnarvon your conversation with myself. I trust my memory was accurate when I told him that you saw no very great objection (in itself) to the settlement of Langalibalele in the western part of the Cape Colony, and that the chief ground for your rejection of his proposal was the legal difficulty of carrying it into effect. He was greatly relieved by hearing this, for it

enables him to explain your reply naturally, and thus to postpone the further prosecution of the subject in Parliament till he learns whether you are willing to invite your own Legislature to pass an Act which will take the difficulty away.

The St. Helena alternative has been talked over with the greatest anxiety to meet your wishes ; I myself, if you remember, suggested it, and when I was with you I thought matters could be so arranged. It is concluded, however, that to propose such an arrangement to Parliament will be useless. If Parliament now take the injuries of Langalibalele into its own hands, the control of the Secretary of State will be gone, and some vehement decisions will be arrived at which, if carried out, may do infinite mischief, and if resisted by yourselves and Natal, may provoke a collision on the one subject on which English, and I may add American, opinion is most rabid and irrational. My dear Mr. Molteno, I am sure that the Secretary of State does not count without reason on your help in preventing a conflict which must equally be deplored whatever be the results of it. When I had first the pleasure of making your acquaintance I said to myself that the Cape Colony could have given no fitter proof of its fitness for the management of its own affairs than in the choice which it had made of a Prime Minister.

Sir Philip Wodehouse insisted, in a remonstrance against the establishment of responsible government, that ten years would not pass without a quarrel between the two Governments on the native question. You may think us unreasonable, but we cannot disregard public opinion. No one can have more contempt than I have for the exaggerated nonsense which has been talked about the blacks and their wrongs. No one can be more conscious of the mischief which it has done ; yet even I, who am at issue on these matters with the mass of my countrymen, felt obliged to speak at Port Elizabeth of the 'consternation' with which I had read the Langalibalele story. Let us help one another to bury the very sound of it.

I told the Secretary of State that you were alarmed for the peace of the Colony, and still more for that of Natal, when the decision should be made known. I suggested that another regiment should be landed at the Cape on its way to India, to be ready if needed either in Natal or in your eastern frontier. I trust I met your wishes in this. The mere fact of the presence of an increase of forces would be an intimation to the natives that they would have no encouragement in mutiny. Pardon this long letter and believe me,

Most faithfully yours,  
J. A. FROUDE.

April 6th, 1875.

MY DEAR MR. FROUDE,—Your long and interesting note of the 9th of February reached me in due course, and was briefly acknowledged, since which I have not had the pleasure of hearing from you again as promised. You will, I dare say, excuse my not going into any lengthened reply to your kind note. Before this reaches you, you will have learnt the action which we have been able to see our way clear to take in regard to the Langalibalele business, and which I trust will satisfy Lord Carnarvon. The Bill, as you will probably notice if you read our newspapers, will encounter considerable opposition in Parliament. The small party in the Assembly who originally held that this Government was wrong in identifying itself in any manner with the Langalibalele affair, will probably oppose on this ground, although not perhaps objecting very much to the course now almost forced upon us. If these combine and work with those who would oppose the Government on any grounds their numbers in a division may be very considerable, but I scarcely think it likely that the Government will be defeated on the Bill.

I feel perfectly sure that we may, as you say, calculate on the earnest desire of the Secretary of State to consider the true interests of the whole Colony, bound, however, as he certainly will be, by party considerations, and on our side the disposition certainly is to stretch things to the utmost in order to aid the Imperial Government in this very unpleasant business. Sir Garnet Wolseley is now at Natal, and I sincerely hope that his mission will be a success. He was made acquainted with our proposed course of action in regard to Langalibalele before he left, and he told me that he felt that this relieved him of a considerable amount of difficulty.

I note with pleasure that you propose visiting us again, and in the meantime look forward to further communications from you with much interest.

Believe me,

Yours very truly,

J. C. MOLTENO.

Early in this session a question was finally laid to rest which had at one time seriously agitated the country. The east had not been content to see the capital of the country at Cape Town. Grahamstown had put forward eager claims, but these had never been admitted generally, even in the eastern province; when, however, Sir Philip Wodehouse in



1864 announced that he would summon Parliament to meet in Grahamstown, its hopes reached a climax. With the better state of feeling consequent upon the introduction of responsible government the question of the proper housing of the Legislature had been discussed without any bitterness of party feeling, and the conclusion had been arrived at almost without debate that Cape Town was the best spot in the country where the Legislature could meet and deliberate.

The site had now been selected on a portion of the land belonging to the garden attached to Government House, and lying between Grave Street and the Gardens Avenue. It was determined to lay the foundation-stone of the new House with fitting ceremony. A public holiday was proclaimed, and the foundation-stone was laid by Sir Henry Barkly in the midst of a great concourse of people numbering about 15,000. All the public bodies were represented, and the assemblage was the most brilliant that has ever been seen in South Africa. Mr. Molteno as Premier invited Sir Henry Barkly to lay the foundation-stone, and in the course of his address Mr. Molteno spoke as follows :—

Varied as opinions have been amongst us on the expediency of expediting or delaying the introduction of responsible government, we colonists were nevertheless agreed that it must come and would come, with its privileges as well as its obligations, and we agreed, too, that it was and is the aim and end, the object of all good government, the consummation of that manly policy without which no people can presume to call itself free and self-reliant, and it has been a source of great satisfaction to your Excellency's advisers to find, as they have done, that the great change which has been made in the constitutional government of the Colony has been frankly accepted by those who were once its opponents. The noble pile we are about to rear, and which we hope to complete in a manner worthy of the Legislature whose vote calls it into existence, and creditably to the Colony which has hitherto laboured under the want of a building suitable to its Parliament, will prove, let us fervently hope, a monument to the memory of buried prejudices and all local jealousy prejudicial to the true interests of the land, and now happily, I trust, laid at

rest; and may it also be a visible sign of our progress and social advancement, and of a new career in our political history.

In reply, Sir Henry Barkly said:—

To myself, who did not hesitate to recommend the adoption of responsible government here from my experience of it in other colonies, joined with the conviction at which I speedily arrived that the inhabitants of Cape Colony were not less capable of managing their own affairs, it cannot but be a source of satisfaction to perceive how well the system is working, and to hear it thus publicly announced that all parties are now reconciled to the change in the mode of administration; but to you, sir, who had laboured consistently to bring about the change ever since a Parliament was first established twenty years previously, to you, who were, I may say, called by common consent to be the head of the first responsible Government, and who have in that position successfully guided the destinies of that Colony during the past two and a half years, the most prosperous and eventful in its history; to you, sir, who stand forward as the leader and the spokesman of both Houses on this great occasion, the present must be an unalloyed gratification and triumph.

He went on to exhort the Legislature to follow the example of the mother country, and so preserve the most perfect liberty of speech consistent with the preservation of order, while public freedom would be carried to the fullest extent without interfering with individual liberty or rights of property. He concluded with these noble words:

Above all, cherish, as far as in you lies, your connection with that great and generous nation, which, whilst spreading its laws and its language, its institutions and its commerce over the surface of the habitable globe, is the only one which has voluntarily relinquished all idea of selfish profit from its colonies, and learned to treat their interests not as subsidiary to its own, but as equally worthy of its consideration—a nation which has been first to accord to its colonial subjects the amplest powers of self-government without seeking in any respect to diminish the advantages which they already enjoyed as citizens of so mighty and glorious an empire.<sup>1</sup>

<sup>1</sup> A new design for the arms of the Colony to mark its existence as a state was now prepared with the aid of Mr. C. A. Fairbridge, whose heraldic knowledge was put under contribution. The new arms were first used on the flags at this ceremony of laying the foundation of the new Houses of Parliament.

This ceremony was a fitting public expression of the completion of the labour for the introduction of responsible government and the success already achieved in burying old animosities and uniting the whole Colony into one community of sentiment and purpose, bringing happiness and prosperity, and social progress; it was an earnest of what responsible government could do for the Colony and for South Africa. Credit has not yet been given to Sir Henry Barkly for the tact and skill and the great practical experience which he brought to bear upon the difficult problems which were waiting solution in the Cape Colony when he accepted the office of Governor. His services in this respect were very great, and have never been recognised. The fatal policy of Lord Carnarvon and its disastrous results obscured and caused to be forgotten the splendid services which Sir Henry Barkly had rendered to the Cape and to the Empire in giving peace and contentment and good government to the Cape Colony.

The part which Mr. Molteno, by virtue of the office that he held, played in this ceremony was a fitting, practical acknowledgment of the success which had crowned his efforts, both for the introduction of responsible government and for the administration of public affairs under this new system, and it was peculiarly fitting that this ceremony should have taken place at this time, for an end was about to be put to the peace, contentment and progress which had up till now followed upon the unfettered enjoyment of responsible government. It is true a warning had come that the new Colonial Secretary intended to pursue a policy of greater activity and more extended interference in the internal affairs of South Africa, and the action of Lord Carnarvon in the case of Langalibalele had led to the consideration of the relations which should exist between a colony with its responsible government and the mother country, as represented by the Secretary of State. All

parties had agreed that unless Lord Carnarvon had taken up the more conciliatory attitude which characterised his second despatch to the Governor, the Colony would have been bound to resist his action as an unwarrantable and unconstitutional interference with its liberties. Lord Carnarvon was soon to give proof that the attempt was by no means an isolated action or dictated merely by the exigencies of the moment. But before we proceed to deal with this we may draw attention to the continuance of the enlightened and progressive policy which had characterised Mr. Molteno's measures in the previous session.

When the first responsible Ministry came into office an extremely imperfect system of public accounts prevailed; indeed, it was impossible to ascertain the exact state of the balance of the account of the ordinary revenue and expenditure of the Colony. It was impossible for the Ministry to change everything immediately—some things had to be left till a later time—but during this session of 1875 an important Act known as the Audit Act of 1875 was passed, which has practically revolutionised the colonial accounts. At the same time the neighbouring colonies and the two republics had made special applications to have the benefit of the university that had been established by the Cape Government extended to themselves, and Mr. Molteno's Ministry introduced a Bill to effect this purpose, thus extending a friendly hand to those neighbours, and taking a very practical step in the direction of a real and solid confederation.

It has frequently been represented that Mr. Molteno's views and actions were bounded by the confines of the Cape Colony, that he took the narrow view which would preclude any interest in the larger and wider questions which South Africa as a whole presented. But this view is not supported by the examination of his actions, though it is true that he looked upon the work of developing the institutions and the physical resources of the Cape Colony as of the highest

importance not only to the Cape itself, but to South Africa and to the Empire at large. By this means the relatively small number of Europeans would be best able to maintain their footing at the southern extremity of the continent of South Africa, and afford a secure basis for the spread of civilisation and settled rule over the mass of barbarism existing towards the north. In connection with the reception of Langelibalele by the Colony, Mr. Molteno had urged that South Africa must be regarded as a whole, and that in many matters what would affect one State would affect all. His handling of this matter was characterised by one of his supreme qualities of statesmanship; he foresaw difficulties, and endeavoured to provide means of obviating them before they had assumed a serious or dangerous phase.

On his assumption of office his attention was immediately directed to the native territories bordering upon the colonial boundaries. Indeed, in his speech on the introduction of responsible government in the session of 1871, he had pointed out that the boundaries of the Colony must inevitably be extended very soon. Upon the east, Residents were placed with the principal native chiefs. On the north-west the tract bordering on the Orange River was peopled by roving bands of natives. Between the mouth of the Orange River and the Cunene, the coast line was entirely unoccupied. There were two harbours, those of Angra Pequena and Walfisch Bay, the latter of which was the most important, as it was a safe harbour for shipping, whilst the former was merely an open roadstead. A number of islands dotted the coastline. These islands possessed a remarkable source of wealth in the native guano, which had attracted the enterprise of Europeans.

In the first session after responsible government was introduced, a resolution was passed to annex these islands to the Colony; they rejoiced in somewhat characteristic English names, such as Roast Beef Island and Plum Pudding Island,

whilst the principal island retained its native name of Ichaboe. The annexation was only formally completed in the succeeding session of Parliament, owing to the occurrence of some informalities in the previous year. The Secretary for Native Affairs, in his report presented to Parliament in 1874, had drawn attention to the mainland area between the Orange River and Cunene, where the Government had initiated measures for leading out the waters of the Orange River and so enabling a community of more fixed and settled habits to reside in that dry and arid district, whilst he advocated the appointment of Residents, as had been done on the borders of the eastern province with the native chiefs in the territory of Walfisch Bay and Great Namaqualand. During the session of 1875, at Mr. Molteno's instance, a resolution was passed by Parliament approving of the annexation of Walfisch Bay and the surrounding territory.

As I have pointed out elsewhere,<sup>1</sup> the resolution would have been consummated by the annexation of this territory to the Cape Colony but for the ignorant and unwise action of Lord Carnarvon. He refused his assent, basing his objections, in the first place, upon the fact that Walfisch Bay would form an excellent harbour for the colony of Griqualand West, such was his ignorance of the physical and geographical features of the country, and when this argument was disposed of he maintained his opposition with the view of bringing pressure to bear on Mr. Molteno to adopt his great confederation scheme. The footing which Germany has acquired in this very territory, owing to the action of Lord Carnarvon and his successors, and to some extent to the supineness of one of the Governments of the Cape Colony, led to the subsequent German intrigues for supplanting British influence in South Africa, and very nearly led in the first days of 1896 to a European war.

In the case of the eastern frontiers the same prescient

<sup>1</sup> See *A Federal South Africa*, pp. 82-86.

and careful policy was adopted. Residents were placed with the principal native chiefs. No sudden departure was made with a view to annexation of the native territory. No sudden changes were made in the laws or habits of the people. Annexation was held out as the highest reward of good conduct. This wise and conciliatory treatment began to take effect, and in 1875 resolutions were carried with the unanimous consent of Parliament for the annexation of at least two-thirds of the territories heretofore supposed to be independent between the river Kei and the Natal boundary, one of the most important steps which have been taken for the extension of civilisation in South Africa.

The principal territories proposed to be annexed were three in number, and not all exactly contiguous to each other. There was first the well-known Fingoland, under the administration of Captain Blyth. There was next, and bordering on the former, the Indutywa Reserve, occupied by Kaffirs from the King William's Town and East London districts, who had settled there under the authority of British magistrates ever since Colonel Gawler's expedition against Kreli in 1858. There was next, though not contiguous, the large territory (not including the coast regions) reaching from the Umtata river to the Umzimkulu—that is to say, to the frontier of Natal, and including the higher slopes of the Gatberg, lately presided over by Mr. Orpen, as well as the further territory of Griqualand East, over which Adam Kok was presumed to be sole chief.

The principles on which the process of annexation was carried out were in the first place, and as a cardinal point, that there was to be no compulsion or any pretension of conquest. Instead of those people and tribes being dragged under our rule, it is they themselves who urgently sought for it as the highest boon they could covet. The inhabitants of all the territories we have named had done so over and over again, and now at last their prayer was being responded to, after practical experience of their fitness to become British subjects and of

our own desire to establish justice and extend civilisation among them. Of the fitness there was ample proof from the willingness with which they had submitted themselves to the rule of the magistrates placed provisionally over them, and the readiness with which they had paid taxes very considerably in excess of the expenditure required for the establishments provided them. Their honest, hearty zeal for the introduction of education, and for general progress, was testified in various ways, and most conspicuously of all by the memorable contribution of 1,500*l.* in hard cash from the Fingoes of the Transkei for the establishment of a second Lovedale in that country.

This state of feeling and affairs, however, did not yet exist in any of the other districts between the Kei and Natal, which it was not now proposed to annex. To begin with, there were the Galekas under Kreli, among whom civilisation has made but a minimum of progress. There was next the tribe of Moni on the other side of the Bashee, with whom the Colony had come less in contact than any other, less even than with those on the Zambesi. There were next, and forming an awkward barrier between the Idutshywa and Gatberg, the Tambookies of Gangalizwe, and still more awkwardly the emigrant Tambookies immediately bordering on the Queenstown division, and last came the various tribes classed under the common name of Pondos, and extending coastwise from the heights of the Gatberg to the mouth of the St. John's River. It would have been exceedingly unwise to apply pressure on any of these people to secure annexation. Influences, however, were at work at once political and philanthropic, which it was then thought must ultimately result in applications from themselves to be admitted to the benefits and privileges of British protection and justice.<sup>1</sup> At Kreli's headquarters we had Mr. James Ayliff as Resident representative of the Government; among

<sup>1</sup> This result did actually take place in the case of Tembuland, which subsequently sought to be annexed.



the emigrant Tambookies near the Indwe we had Mr. Fynn ; with Gangelizwe we had Mr. Wright. These influences, joined with the missionary operations, it was felt would doubtless result before long in the complete annexation, and the gradual civilisation of the whole of independent and barbaric Kaffirland under the protection of the British flag.

The principles of these annexations were that in every instance the territories accepted should continue to be self-supporting, and impose no additional burden on the Colonial treasury, while on the other hand it was not for a moment desired that a penny of profit should come from these native taxes to us. In the second place it must be understood that the process was strictly an annexation, and not an incorporation. The districts would themselves at their own request be placed as nearly as possible in the same position as Basutoland had occupied for some years. They were to have additional magistrates and local schools and various improvements introduced amongst them for their own benefit and at their own expense, under the general authority and protection of the British Crown. But they were not to be any more than Basutoland incorporated as part of the political community of the Cape Colony. In other words their position was analogous to the territories as compared with the States of the great American Republic. We have only further to add an approximate estimate of the number of people then annexed. In Fingoland there were about 45,000 ; in the Idutshywa about 25,000 ; at the Gatberg and among the Pondomesi about 30,000 ; and in Adam Kok's Griqualand East about 40,000—a total of 140,000 people.<sup>1</sup>

<sup>1</sup> During the course of the debate on the question, Mr. Molteno described the wise and cautious policy which the Government intended to pursue. . . . There seemed to be a general desire to bring these natives under colonial influence ; but while acceding to the request of those expressing a desire for annexation it was expedient that the Government should exercise 'no undue interference with reference to independent tribes. Things were progressing in

It should be added that Mr. Brownlee's services as Secretary for Native Affairs were invaluable in carrying out these arrangements successfully.

This extension of territory and jurisdiction over the native tribes was in itself a very great and formidable work, and it was of the highest importance that it should be allowed to continue for as long a time as possible under these quiet and peaceful influences, thus enabling the wild tribes to become thoroughly accustomed to our rule and to appreciate that it was for their own good that they should abandon their savage customs and adopt more civilised ways and habits. There was considerable confidence that this would be the case. So fully did the Fingoes appreciate the advantages of improving their communications that they subscribed 1,500*l.* towards the cost of a road in their territory, ploughs were being introduced, and more improved systems of cultivation were also being adopted. Responsible government had not only been to the advantage of the Europeans and the country more exclusively occupied by them, but it had also secured for the native tribes a new interest in their welfare on the part of the white inhabitants, and a new development for themselves in the direction of agricultural industry, through which lay the surest road to social advancement.

This policy was part of a scheme for securing our frontier by wise and careful management of the natives, rescuing the weaker tribes, such as those under Umhlonhlo and Umditchwa, who were being destroyed by their powerful neighbours the Pondos. We did this without resorting to

the right direction. But the time had not yet come for the annexation of Krel, Gangelizwe, and the Pondos. Doubtless it would not be long before these people, seeing the advantages of their territory being annexed to the Colony, would make application in that direction. These things, however, should not be forced on before the proper time. He thought all they should do for the present was for the House to signify its willingness to annex those portions mentioned in the motion, leaving the Government to carry out the necessary preliminaries before introducing a Bill.

force, merely giving these tribes the services of good men such as Mr. Orpen, to organise them for defence and secure them from the improper aggression of their neighbours and the crushing exactions and arbitrary rule of their own chiefs. It was our policy to convince the independent tribes that it was to their interest to be at peace and on friendly terms with us and those under us, and that our rule was even better than that of their own chiefs, being juster and more regardful of their individual interests.

When the war between Kreli and Gangelizwe broke out in October 1872, the frontier districts of the Colony were in a most critical condition, as the disturbances might extend to the tribes within our frontier, in which case we should have been obliged to take sides, as we eventually had to do in 1877. This war led the Government of Mr. Molteno to consider what would be the best course to prevent the recurrence of such a contingency, and what policy should be adopted to secure the peace and tranquillity of our frontier, not only in regard to the natives beyond our border, but for the protection of our frontier districts as well. It was believed that the establishment of our authority in the country ceded to us by Faku would be the best and easiest means of attaining this object. A powerful federation was being formed between Kreli and Moni and the Pondos. This alliance threatened the Tembus, who were friendly, and whom it was our policy to protect. If we united the tribes under us in No Man's Land they would be in a position to menace Kreli in the event of any hostile movement on his part either against our friends the Tembus or against ourselves, and they would prevent the Pondos forming a junction with Kreli. The great weakness of the Pondomisi themselves had been their feuds with each other, which enabled the Pondos to fall on them in detail, but under Mr. Orpen they were reconciled together; his measures for the defence of all the natives under our protection in that part of the territory put an

end to the Pondo attacks; and the country, which had been almost depopulated by incessant warfare, was fast becoming re-occupied by tribes who were attached to us, owing to the security which our rule gave them.

While benefiting these natives, we were receiving a legitimate reward in the important commercial advantages thus secured, for until this time the people, harassed by continual inter-tribal wars, raised but little produce, and the trade carried on with them in consequence was quite insignificant. The Colony could, however, look in a few years for a very considerable development of it. The main body of the people of this great country were sunk in the lowest degradation and barbarism; wars which for generations had been carried on with scarcely any interruption had so accustomed them to bloodshed that little value was attached to human life, and yet there was a strong desire manifested for education. This was to be met by the establishment of various missions in connection with the different religious denominations, and Dr. Stewart was about to start his institution based on lines similar to those of Lovedale.

Viewed in a merely selfish light our policy had made us the gainers to a large extent, and this would be the case still further if the proposed annexations were carried out. In this short time the close attention, the profound knowledge, and the evident desire on the part of the Government to benefit the natives, together with its prompt suppression of disturbances, had immensely improved our position in regard to them. The Basutos had been detached from the confederacy and alliance of other tribes. They were formerly in friendly relationship with the natives of Natal and the Zulus. But the surrender of Langalibalele to the Governor's agent, which had been brought about by the prompt manner in which the Cape Government had moved up the Frontier Armed and Mounted Police, thus giving their support to all who were well disposed to them among

the Basutos, had caused a breach of friendship between the latter and the Zulus. Molapo had sent an embassy to Cetewayo about this time; the messengers were, however, insulted and their lives endangered, and further negotiations between the tribes were thus completely broken off.

Similar feelings towards the tribes of Natal were also in existence, and the Basutos were thrown more than ever into our arms, and their confidence in us was daily increasing. Had they not been under our rule, Langelibalele would have been received by them, and in conjunction with the Zulus a combination most dangerous to Natal would have been formed. In like manner with the tribes under Mr. Orpen. Had we not stepped in at the time we did they would have been crushed and absorbed by the Pondos, and as these were in alliance with Moni and Kreli, a powerful alliance would have been formed on our borders, and had the Basutos still been independent, they together with the Zulus would probably have been added to this confederacy. Our policy had frustrated this object. We had thus been the gainers politically as well as commercially. The annexation of Basutoland and our movement in the Transkei had counteracted the combination of the tribes. We had secured peace and freedom from attack for our native allies, while securing the peace of our own borders.

With the advent of responsible government a higher view began to be taken of our mission towards the barbarous tribes upon our borders; we were no longer content to govern them simply from interested motives. The obligation was felt to be incumbent upon us to elevate and enlighten them and to raise them in the scale of civilisation, not only by securing peace for them, but by eradicating and changing their savage habits and customs. This change could not in the nature of things be a rapid one. Firmly and deeply rooted in the growth of centuries, these habits could only be altered slowly, and any improvement could only be percep-

tible to those who had long been in contact with the natives ; yet there was a confidence that this improvement would come about. The most effective agents in the great work were the magistrates and agents whom we had placed among the natives, who endeavoured to attach them to us by a just and righteous administration. We contributed also largely to the advancement of education, and in connection with this work the missionaries were the chief agency by which the people were being enlightened and educated.

The Government was at this time singularly fortunate in possessing the services of Messrs. Griffith and Orpen, the two chief executive officers under the native department. They were men singularly qualified to discharge the high duties imposed upon them. Combined with great energy and ability, they had the additional qualification, without which all others would be of little value, of a thorough interest in and sympathy with the natives, sentiments soon perceived and reciprocated, and conferring great power and influence upon their possessors. In all who read the able and sympathetic reports of the then Secretary for Native Affairs there will arise a feeling that the real and best interests of the natives were in able hands, and that the policy then pursued gave promise of valuable results for the future.<sup>1</sup> A comparison of these patient, careful, and conciliatory methods with the dragooning of Zulus and disarming of Fingoes and of the administration by ultimatums as pursued by Sir Bartle Frere, must, we think, lead, in the minds of all impartial men, to a preference for the former policy.

It is interesting to observe that Lord Carnarvon's attention had been drawn to the advancement of the natives and the success of the policy pursued by the responsible Government at the Cape, and in his despatch to Governor Pine of Natal, he uses these words :—' That the natives are capable of great improvement I cannot doubt after reading the very

<sup>1</sup> *Blue Book on Native Affairs*, 1875.

interesting accounts of the condition and progress of kindred tribes given in the Blue Book on Native Affairs in the Cape that has lately reached me.' It is evident from this that Lord Carnarvon was satisfied that the native policy of the Cape had been successful, and he was holding it up as a model to the Imperial officers who were controlling the native policy of Natal. On many subsequent occasions he expressed his approval of the native policy of the Cape Government.<sup>1</sup>

Mr. Molteno held strongly that all inhabitants of the country should receive even-handed justice, and that all should be secured in their personal rights; whether the newly annexed tribe were fitted for the exercise of political rights did not at that time call for consideration, but it was open to any native in the Colony who possessed the requisite qualifications to obtain and exercise the franchise.

Sir Henry De Villiers writes:—

His native policy, so long, at all events, as I was in the Ministry, and, I have no doubt, subsequently also, was one of justice and firmness combined. He was opposed to any policy which would oust loyal natives from the land occupied by them and their fathers before them, while at the same time he wished to prepare them for the time when they would cease to be under the fostering guardianship of the Government of the country. I know that he always favoured the policy of giving individual title to land to such natives as deserved it; but I think he would have strongly disapproved of any condition being inserted into the title deeds that the land should be inalienable in perpetuity.

All this good work and all this steady progress was soon to be interfered with and arrested by a good-intentioned visionary, who dreamt of glory and honour to be won by the immediate execution of a simple task, the welding of all the various communities of South Africa into one great confederation. As in the case of the Canadian Confederation, so here; the conception of such a scheme, as we shall see, was one to which Lord Carnarvon could lay no claim.

<sup>1</sup> See *I. P.*, C—1776, p. 3.

## CHAPTER XII

## PRELUDE TO CONFEDERATION. 1876

Lord Carnarvon—Recalls Sir George Grey—Confederation in Canada—Condition of Colonies and States of South Africa—Cape Colony—Natal—Griqualand West—Orange Free State—Transvaal—Difficulties caused by Government from afar—Antagonism of East and West—Principal Difficulties in South Africa—History of Confederation in South Africa—Removal of physical Obstacles—High Commissioner deprecates raising question—Great reversal of Imperial Policy.

It was in February 1874 that Lord Carnarvon succeeded to the seals of office as Secretary of State for the Colonies. In the whole history of South Africa no more fateful appointment was ever made. The power of the Secretary of State in the affairs of the colony was at this time practically absolute, in so far as it was uncontrolled by public opinion in England. Lord Carnarvon used his power to the full, and pressed it beyond its usual limits. Before his advent to office, peace had prevailed in British South Africa for a quarter of a century; his action is the direct cause of the unsatisfactory and dangerous condition of South Africa since 1875. All the wars since that period are directly due to the policy of confederation which owed its initiation to him. Unconscious of the full significance of his words, he himself characterised his unconstitutional agitation as 'the most important era which had occurred in the history, not only of the Cape Colony, but of South Africa.'

Henry Howard Molyneux Herbert was in his twenty-eighth year when in 1858 he began his connection with the Colonial Office. He had taken high honours at Oxford in classics, and he reached a prominent position in English



politics as a peer without serving his apprenticeship in the House of Commons. The valuable lessons which are learned by contesting a seat in a popular assembly and partaking in the keen debates of a representative chamber were thus wanting to his experience. From February 1858 to June 1859 he continued as Under Secretary under Lord Stanley and Sir Edward Bulwer Lytton. From 1866 to 1867 he occupied the position of Chief Secretary, resigning his position at the latter date owing to his refusal to assent to the projects of reform decided upon by the Ministry of which he was a member.

At the period of Lord Carnarvon's first connection with the Colonial Office he had shown that he shared to the full the then prevailing sentiments with regard to the uselessness of the Colonies and the absolute necessity for the restriction of Imperial rule in South Africa. The most important event with regard to this latter country during his tenure of office had been the recall of its popular Governor, Sir George Grey, who in 1859 had addressed the Cape Parliament on the subject of a resolution of the Orange Free State in favour of a union with Cape Colony, and suggested a federation of the South African colonies and States. On the receipt of this address in England, Sir George Grey was immediately called to task for expressing his sentiments in this direction, and was informed that he was recalled, as her Majesty's Government had found that he had committed himself on a subject of the first importance to a policy of which they disapproved.

When in 1866 he joined Lord Derby's third Ministry his opinions had undergone a considerable change. Representative institutions in the Colonies had borne fruit and had raised into existence in North America, Australia and New Zealand several young English nations, bold, prosperous, and self-reliant. Events had moved on in the Colonies in the direction of maintaining and strengthening

the connection with the mother country, and the movement there was about to react upon feeling at home. The loosening of the formal bonds had the valuable if unexpected result of strengthening the sentimental ties. The Canadian Colonies had held many meetings and passed resolutions upon the subject of Confederation, and a forward step in this direction was now necessary if the aspirations of the Colonies were to be met. It so chanced that matters had been brought to the point of settlement before Lord Carnarvon took office, and it fell to his task to carry through the formal act expressing the Imperial assent to the desires and wishes of the Colonies.<sup>1</sup>

On the 17th of February 1867 in the House of Lords he moved the resolutions for confederating the British Colonies of North America.

The prominence given to the question of colonial administration had affected the public mind, and the reaction from the policy of the abandonment of the Colonies was now in full force, with the result that Lord Carnarvon, who had taken the strongest steps in his power to prevent the consolidation of British interests in South Africa by the recall of Sir George Grey, had become an advocate of the confederation and extension of Imperial rule in South Africa by means of a dominion similar to that which had been created in Canada. The circumstances of the two cases were, however, extremely dissimilar. No resolutions had been received from the South African Colonies with a view to the mother country taking action.

Let us consider the position of the various Colonies and

<sup>1</sup> Sir Charles Adderley says: 'The Act of Union simply embodied in an Imperial enactment the provincial resolutions passed at Quebec.' (*Colonial Policy*, p. 47.) 'The federal form was necessary in the first instance to meet the requirements of Canada,' but a solid legislative union would, in his opinion, have been better. 'The Imperial Legislature acted externally, so to speak, to the transaction, having not to institute the arrangement, but only to ratify and confirm the Colonial compact' (p. 49).

States in South Africa with a view to understanding the difficulties which at that time prevented any immediate steps being successfully taken in the direction of confederation. South Africa, so far as it had been rescued from savagery, consisted of three British dependencies, the Cape Colony, Natal, and Griqualand West; and two independent Republics, the Orange Free State and the Transvaal. The Cape Colony in population, wealth, and the general elements of civilisation, as well as extent of territory, outweighed all the other States put together. It had long been established as a settlement—its history extended over a period of more than two hundred years; it had passed through all the stages of development from that of a Crown Colony, directly governed by an autocratic Governor from England, to the condition in which it acquired a Legislative Council assisting the Governor with legislation, and subsequently to the enjoyment of representative institutions; and it had finally received its full development in the establishment of responsible government in 1872. Its connection with England dated only from the commencement of the last century, but its customs, politics, and party divisions were affected by long antecedent traditions. It had surmounted most of the difficulties of a young settlement, and had entered upon some of the characteristics of older organisations.

As we have seen in these pages, frequent occasions of conflict had arisen between the local Parliament and the Imperial Governor and the Home Government while representative institutions were still incomplete. With the advent of responsible government there was abundance of evidence that the Cape Colony had assumed with credit to itself the responsibility of self-government, and enormous progress had been made during the short period that had elapsed since responsible government had been introduced. No one could gainsay the successful working under Mr.

Molteno, and both Lord Carnarvon and Mr. Froude themselves fully admitted it.<sup>1</sup> The unfettered development of this principle was bidding fair to become a successful solution of South African difficulties. The governing factor in South African politics had until that period always been the unwise, unsympathetic rule of officials appointed by the British Government, who at one time from want of local experience and knowledge of the country and its people had unwittingly offended them; at another, under orders of a Colonial Secretary still more ignorant, had failed to govern them in accordance with their views.<sup>2</sup> It was now determined that local experience should have its proper weight in shaping a policy, and as soon as the causes of irritation with the mother country were removed a better feeling at once came into existence.

The most serious problem with which the Cape Colony had to deal was its relation to the aboriginal races. After long struggles and patience under frequent disasters these were finally settled, as we have seen, upon a basis of justice and reason. English statesmen had at last decided to entrust the control of the natives to the colonial authorities themselves, though there was still some tendency to interfere with this control. The best proof of the success with which

<sup>1</sup> See *I. P.*, C—1399, p. 8; and as to native policy, *I. P.*, C—1776, p. 8.

<sup>2</sup> In a petition signed by upwards of 5,400 people against the annexation of the Transvaal, we find these persons, principally of Dutch extraction, addressing Lord Carnarvon as follows:—

‘(1) That your Majesty’s petitioners are aware that among the descendants of the old Cape colonists there has been ever since the country came under British rule, a feeling that from distrust or want of sympathy on the part of the British Government their interests were not properly cared for, and that accordingly those colonists have a long series of grievances to record against that Government.

‘(2) That the free institutions which it has pleased your Majesty to grant to this Colony would have gone far to obliterate that feeling, were it not that interference on the part of your Majesty’s Government with what the old colonists consider to be the rights guaranteed by solemn treaties to their brethren and kinsmen in the neighbouring republics had constantly reminded them of those old grievances which they would fain forget.’ (See *I. P.*, C—1883, p. 28.)

the difficult problems were approximately solved, was the fact that within the Colony for a quarter of a century there had been no native war.

The difficulties of controlling native affairs from a distance are manifest when we consider, as was pointed out by Mr. Molteno in his letter upon the Langalibalele disturbances, that the effect of such a policy must always be felt upon the spot; that if disturbances take place, and even if England provides great military forces for their suppression, yet it is the homes of the colonists which are destroyed, it is their lives which are endangered, and the resulting disturbances of all settled industry must be borne by them alone. The history of the Cape prior to 1854, when the Imperial Government retained the whole control of native policy, as well as the history of New Zealand, have shown the impossibility of England controlling with advantage the policy of a distant dependency towards the natives. And this quite apart from the enervating effect on the colonists of being dependent and not having to rely on themselves for their own defence.

The first Cape Ministry had taken a high view of their duties and responsibilities in connection with native management, and the unanimous verdict of all who had considered the subject, including the natives themselves, proved that they had treated the natives in a sympathetic and wise manner. Lord Carnarvon himself had on several occasions given his testimony to this effect,<sup>1</sup> while Sir Richard Southey, who would naturally be a severe critic of any policy which Mr. Molteno might adopt, also expressed, in a letter to Lord Carnarvon, his view that the policy pursued by the Colonial Government was a most successful one, and was worthy of extension to the other colonies and states of South Africa.<sup>2</sup>

Natal was at this time a Crown colony. Upon its proclamation as British territory in 1843, it had formed a

<sup>1</sup> *I. P.*, C—1776 of 1877, p. 8.

<sup>2</sup> *I. P.*, C—1899, p. 18.

district of the Cape Colony, but owing to the difficulties occasioned through its geographical separation by a large extent of wild and almost unknown native territory, it was erected into a separate colony in 1856, and from that date had been so administered by a lieutenant-governor. It possessed a limited representation in the shape of a legislative council composed partly of nominees and partly of elective members, whose consent was necessary for the enactment of laws; but the Executive was appointed by the Crown, and though in some measure it deferred to the control of the Council in matters of administration, it was of course not dependent for its political existence upon possessing the confidence of the Council.

Finally in 1856 Natal was entirely severed from the Cape. The population at this time (1875) numbered between ten and fifteen thousand whites and about 300,000 natives. The area was about 20,000 square miles, one-tenth of the Cape Colony. The disproportion between the whites and blacks was an increasing one, to the disadvantage of the whites, owing to the immigration from the surrounding native territories of Natal of a large body of the natives, who preferred the more uniform rule of the British colony to that of their own native chiefs. This preponderance of blacks, together with the existence on the eastern frontier of Natal of the great Zulu kingdom, was a fact of enormous importance in its bearing upon the proposed confederation of South Africa. No Cape statesman would undertake the responsibility of defending Natal from the natives on its borders, or securing its internal safety from the natives within, and Sir Bartle Frere found this an insuperable impediment to the confederation which he was anxious to force on, and found it necessary to engage in the Zulu war with a view to destroying the Zulu power.

The burning question in Natal at the beginning of 1875 was the controversy which had arisen on the Langalibalele

outbreak. The colonists were smarting under the strictures passed upon them by the ignorant and misguided press of the mother country in connection with the suppression of the outbreak. The manner in which the rising had been dealt with appeared to an outside observer, and was perhaps in reality, to some extent, harsh and severe, but when it is remembered that the white population was a mere handful settled among hundreds of thousands of natives, it must be admitted that the first consideration which ought to actuate the authorities was the immediate suppression of the rebellious movement. Upon this depended the very existence of the whites in Natal, and the preservation of peace in South Africa. Cases of individual hardship and individual severity were as nothing compared to this supreme consideration, but the very success of the measure taken to secure the suppression of the outbreak fostered the agitation roused by the well-intentioned enthusiasts for native rights. Whatever view might be taken of the conduct of affairs, they had been entirely in the hands of Imperial officials, and even the Legislative Council of Natal had not been consulted in any way, so that neither praise nor blame in the matter could be assigned to the people of Natal, who were attacked by the English press.

Griqualand West, the third British dependency, had come into existence only in 1871, owing to the establishment of British jurisdiction over the diamond fields. It comprised a comparatively small area, but was possessed of great wealth in the diamond mines. A legislative council in which officials predominated shared with the Governor the duties of legislation, while the Executive was almost independent of the Council. Its population numbered, perhaps, 25,000, of whom 10,000 were whites. The same system of semi-representative institutions or nominal representation, with irresponsibility on the part of the Executive, which had prevailed in the Cape Colony before the intro-

duction of responsible government, had been extended there and had been put into operation by the same Imperial official who had administered it in the Cape Colony. With the more inflammable material to be found in Griqualand West, this system of government and this system of unsympathetic administration had in less than three years brought the Government face to face with open rebellion ; and it had become necessary to send an armed force of Imperial troops from Cape Town to restore peace and maintain order.

Of the two independent republics, the Transvaal or South African Republic was recognised as an independent State by Great Britain in 1852. A comparatively small white population, some 15,000, and a great mass of natives were comprised within its confines ; a still greater number of natives pressed upon it on the North and East. Its area was about 100,000 square miles, or about half the area of the Cape. President Burgers, a man of progressive and liberal views, directed its policy. The Orange Free State had been compelled to take up an independent existence in 1854, upon the abandonment of the Orange River Sovereignty by Great Britain. It had led an arduous and chequered career, and the small number of white inhabitants had struggled for their very existence with a mass of barbarism on the eastern border, but at this time there were no pressing difficulties. A considerable measure of prosperity had come to it in common with the greater part of South Africa, owing to the discovery of diamonds and the progress inaugurated by the newly established responsible Government in the Cape Colony. Communication with the ports had been facilitated by the railways and bridges built by the Cape Colony. Its area was about 48,000 square miles, or a quarter of the area of the Cape Colony, and its white population numbered about 25,000 ; there was also a considerable native population.



The able and liberal-minded President Brand was at the head of its Government.

Regarding these as possible units of the confederation, it will be seen at once that the Cape Colony, the original mother colony from which all the dependencies and states had sprung, was more than equal in extent to Natal, Griqualand West, the Transvaal and the Orange Free State all put together, while its revenues were four times as great as the total revenues of the rest of the states. It possessed the greater part of the sea-coast, was administered by its own Government, chosen by the representatives of the people, whilst it had a fixed and settled native policy upon which the preservation of peace for twenty-four years had placed the seal of success.

The other communities were still struggling with the difficulties of administering a government in territories where the white population was extremely limited in numbers and scattered over a wide area, and where a preponderance of blacks made it impossible to adopt as lenient and fixed a system as that which prevailed in the Cape Colony with its larger resources and larger white population. They had all sprung into existence since the middle of the present century.

Stated shortly, the more salient features of the situation, with which Lord Carnarvon attempted to deal by hammering the colonies and states into union by the power of the Imperial Government, were these: that in South Africa we had five districts to be brought into a confederation; that these districts were widely scattered and separated by great difficulties of inter-communication; that they differed greatly in their history, constitution, and relations to the Imperial Government and to the native tribes; and that they were at unequal, not to say incompatible, stages of development. In addition, two of them were independent States, brooding over what they considered to be a wrong

done them at the hands of the British power; and finally one of them was an ancient settlement which had but recently received the precious gift of a constitutional freedom modelled upon that of the mother country.<sup>1</sup> Let us consider briefly how this state of affairs had been brought about.

When we regard South Africa on the map, we are surprised to find a country so homogeneous in its characteristics divided up into so many states, small in effective population and in resources of every kind. The absence of navigable rivers made it a matter of great difficulty to penetrate into the interior, which was further guarded by the existence of mountain ranges, originally impassable by wheeled traffic. Mr. Molteno's first journey to Beaufort, a distance of 330 miles, had been made by ox-waggon in twenty days, a rapid transit for that date. To-day the same journey is accomplished by rail in the twelve hours. The absence of surface water had also impeded the advance farther north, just as it now hinders the settlement of the Kalahari. In addition to these physical difficulties the presence of fierce and warlike native races constituted a formidable barrier to the advance of the white settler. The most accessible points had first to be settled, and Natal with its harbour was a settlement of many years' standing before the eastern portions of the Cape Colony were brought under civilised government. The presence of the natives tended to make these settlements compact and cohesive. It was only the extreme unwisdom of the ruling power which forced the settlers to separate. The difficulties introduced by the presence of wild and lawless tribes on the borders of a European settlement are such as to exact the utmost care and circumspection from those in authority who are called upon to regulate their intercourse and settle the conditions of peace or war.

<sup>1</sup> *South African Conference*, p. 9.

Owing to the distance of the controlling power from the scene of action, it was impossible for the Home Government to give that continuous and informed attention to the affairs of the distant colony. This was inevitable, and English statesmen were necessarily occupied with the concerns more immediately under their own observation and control.<sup>1</sup> Nevertheless this neglect was bound to cause results of importance in a condition of affairs so complicated as that which prevailed at the Cape. Able officers were chosen as governors and sent out to take charge of the affairs of the Colony. Had their conclusions, based upon a knowledge of the circumstances on the spot, been accepted as a guide by the Home Government, the evil would have been in a large measure circumscribed, and the policy pursued would have been wise or otherwise in proportion to the ability and discretion of the Governor himself.<sup>2</sup> But a further disturbing factor of supreme importance entered into the case. The great missionary societies and the persons known as the Exeter Hall party, who were guided by the assumption that

<sup>1</sup> The conditions which give rise to separate government for a dependency are here present in more than their ordinary strength. See Sir G. C. Lewis on *Dependencies*, chap. iv.

<sup>2</sup> The real question at issue is not whether the form of government was to be that of a Crown colony under a governor, supreme and uncontrolled by the inhabitants of the dependency, or that of a colony controlling its own government by representative institutions—for whether in the former or the latter case the Government is on the spot and governs in accordance with its ideas of what is best—but whether the dependency is to be governed from home by a Government which, owing to its distance, can never be in a proper position to govern with advantage. We find on looking to the past that the Greek colonies were quite independent of the control of the mother country. The Roman provinces were governed by governors appointed by the Imperial Government, but these governors were supreme in their own province. So were the governors of the possessions of Spain, in the Netherlands, in Italy, and in America—so were the governors of the Venetian dependencies. If, then, these arbitrary and despotic countries with no free representative institutions were compelled by events to leave their governors uncontrolled in the local affairs of dependencies, how much more unwise is it for England to attempt the impossible in trying to govern its free dependencies from home directly! (See also Sir C. Adderley, *Colonial Policy of Lord John Russell*, p. 375; Sir G. C. Lewis on *Dependencies*, p. 134 et seq.)

*prima facie* the natives were always in the right and the colonists in the wrong, were able to bring very effective pressure to bear on the authorities at home.

Public opinion in England being quite ignorant and uninformed on the subject, was liable to be played upon by those who had their definite and settled objects in view. We must not be misunderstood in this matter. The presence of such a body of opinion and the efforts of the party holding these views is very valuable. It is one of the forces brought to bear upon the Government in opposition to other forces of a contrary character, and due weight should be given to its representations, based, of course, on the statements of its agents, but these should not be accorded a blind confidence by the ruling power. They should be tested and corrected by the knowledge and information which the latter has at its command. At times, however, these statements have been accepted as representing the whole truth, if not by informed officials yet certainly by public opinion, which has not the opportunity of learning, from the officials on the spot or from the colonists themselves, that there is another side. The task of the ruling authority, the Colonial Secretary, is thus made extremely difficult, and at times, yielding to the pressure nearest to him, he has placed himself and his policy entirely in the hands of the Exeter Hall party or has even been found among its adherents. An illustration of this is afforded by Lord Glenelg, who was a member of this party when in 1836 he sent out Sir Andries Stockenström to make treaties with the native chiefs, placing them in the position of civilised rulers on a perfect footing of equality with the colonial authorities, with the result that, knowing nothing of the sacredness of treaties, they used this immunity from observation and control to husband their resources for a disastrous attack on the colonists.<sup>1</sup>

Little wonder that the colonists became exasperated when

<sup>1</sup> Theal, *History of South Africa*, 1834-1854, pp. 6, 59.

exposed to the depredations of the natives under a government which was neither willing nor able to secure them immunity from inroads, and whenever they defended themselves held that they had made an unprovoked attack on harmless and unoffending natives. They determined that they would rely on their own efforts rather than look to rulers who always threw the onus of proof on them and not upon the natives when trouble arose. Sir Benjamin Durban, the Governor, pointed out to the Colonial Secretary the disastrous results which immediately followed on the 'new and reckless policy, which had sufficed to dispel the salutary fear of our power with which we had impressed our enemies, to shake—if not altogether to alienate—the respect and confidence with which we had been regarded by our friends, to *banish the flower of the frontier farmers*, and to leave those who remained in a state of the most fearful insecurity.'<sup>1</sup> In a despatch dated July 29, 1837, he attributed the emigration to the 'insecurity of life and property occasioned by the recent measures, inadequate compensation for the loss of the slaves, and despair of obtaining recompense for the ruinous losses by the Kaffir invasion,' while he described the emigrants who were leaving the colony as 'a brave, patient, industrious, orderly and religious people, the cultivators, the defenders, and the tax contributors of the country.'<sup>2</sup> In his reply Earl Glenelg threw doubts upon the Governor's reports, showed his reliance on the advice and information of the Missionary Society, and concluded by announcing the recall of Sir Benjamin Durban.<sup>3</sup>

These were the chief considerations, and not the emancipation of the slaves, which induced the farmers to leave the Cape Colony on the great trek which led to the founding of Natal, the Transvaal, and the Free State. It will be found<sup>4</sup> that the principal emigrations took place from those districts at the

<sup>1</sup> Theal, p. 69.

<sup>2</sup> *Ibid.*, p. 83.

<sup>3</sup> See despatch, 1st of May, 1837.

<sup>4</sup> See Theal, pp. 91-92.

Cape which were most exposed to native depredations, and not from those where the slaves were most numerous. It has been calculated that ninety-eight per cent. of the emigrants came from districts possessing only sixteen per cent. of the slaves. To these men who went into the then unknown wilds England appeared a harsh and unjust step-mother. This feeling was deepened and embittered when they were followed into Natal, and that country was taken from them, and again when they were followed up into what is now the Orange Free State and that too was taken from them; and again when the Transvaal, their final goal, was annexed by Sir Theophilus Shepstone acting under orders from Lord Carnarvon.

The Colony struggled on under the weight of evils brought about by such a policy; a policy the effects of which were felt as a serious burden by the mother country itself. Sir William Molesworth informed the House of Commons in 1855 that our military expenditure at the Cape amounted to between 400,000*l.* and 500,000*l.* a year, besides the series of Kaffir wars which on the average cost England 1,000,000*l.* a year. We can understand that the Cape was no favourite with the British Government,<sup>1</sup> who in desperation, but following their unwise policy of ignoring local advice even when given by the Governors, decided, after attempting unsuccessfully to make the Cape a penal settlement, to abandon the Orange River Sovereignty; and this against the wishes of its inhabitants, be it remembered.

Before the representatives of the settlers who were to take it over would consent to undertake the responsibility of government, they made certain stipulations. They foresaw that in the settlement of native questions they would be involved in controversies and difficulties with the British Government unless they had some guarantee against the interference of that Government, and with this object in view they required

<sup>1</sup> See Earl Grey's views quoted, *infra*, p. 311.

a guarantee 'that all treaties existing with the natives should be annulled, and that the British Government should not interfere between the natives and the other inhabitants of the country.' Her Majesty's commissioners accepted these conditions. Any system which might be adopted by the British Government with its enormous resources was not such as it would be safe for this handful of white men to pursue, living as they did in isolated farms in the midst of overwhelming numbers of natives and with no ultimate reserve of force upon which they could rely; indeed who were being abandoned by England because she had found their government and protection too troublesome and costly.

It was the difference between actual contact with circumstances and that distant view, liable to be incorrect through want of necessary information, and liable to be distorted by partisan statements of the missionary organisations, which constituted the essential germ of the great English and Dutch question. There has been no antagonism *qua* English and Dutch where both have mixed freely as they have done in the more populous parts of the Cape Colony, but any feeling which exists among the Dutch was engendered and is kept alive by the reaction due to this treatment on the part of the English authorities. These Dutch farmers in the Free States were constantly being recruited by emigrants from the Cape, attracted thither in large measure by the grants of land which were to be had for nothing; while the policy of the Cape under Mr. Southey, which it is only fair to add was a relic of the policy followed in the Colonies while the Imperial Government retained the control and disposal of their Crown lands, had been to hold back the public land for a large price. Mr. Molteno drew attention in Parliament to the loss of the population of the Cape Colony owing to this cause, and succeeded in carrying measures to facilitate the sale of Crown lands in the teeth of the Government opposition. The essential unity of the peoples of the Cape and Republics

has remained to this day. Sir G. Grey described it in speaking of the evils of abandoning the Orange River Sovereignty.<sup>1</sup>

The results of the control of native policy from England was to give rise to and keep open a bitter feeling between the Dutch States and the English Government. It was not alone the Dutch farmers who had this feeling, but it was shared in by all those who were exposed to its baneful results.<sup>2</sup> As the readers of these pages have already seen, the name of Downing Street had become a name of opprobrium and reproach throughout the Cape Colony. Lord Derby's witty description of the Colonial Office as 'the office at war with all the colonies,' was fully realised in South Africa.<sup>3</sup>

Notwithstanding the official neglect and dislike of South Africa,<sup>4</sup> English energy and determination were laying solid foundations here, as they have done wherever Englishmen have settled. The individual Englishman saved the situation in spite of all drawbacks, and an event took place

<sup>1</sup> 'No doubt that in any great public, popular, or national question or movement, the mere fact of calling these people different nations would not make them so, nor would the fact of a mere fordable stream running between them sever their sympathies or prevent them from acting in unison.' (Sir George Grey in Blue Book, *Par. Papers*, 1860.) Sir Phillip Wodehouse also reported that the abandonment of the Orange River sovereignty 'gave great dissatisfaction here at the time; and it may fairly be questioned if the British Government, acting under the pressure of immediate evil, gave sufficient thought to the embarrassment that might arise out of setting up in immediate proximity to ourselves and the native tribes a small independent State peopled by the nearest kinsmen of the Cape Colonists, possessing their warmest sympathies, excessively weak in itself, and yet almost certain to cause us much inconvenience.'

<sup>2</sup> See Theal for condition of Grahamstown after Kaffir invasion of 1835.

<sup>3</sup> The colonial affairs were originally under the Secretary of State for War. Adderley, *Colonial Policy of Lord J. Russell*, p. 99.

<sup>4</sup> See Earl Grey, *Colonial Policy*, vol. ii. p. 248. He says: 'It is impossible not to perceive that a general feeling exists in this country that the Colony is not worth the sacrifices it imposes on us. . . . Few persons would probably dissent from the opinion that it would be far better for this country if the British Territory in South Africa were confined to Cape Town and to Simon's Bay.'



which both served to show that the Englishman retained his leading characteristics in South Africa, and assisted the action of English and Dutch in vindicating their common rights. Convicts had originally been transported from England to the American Colonies, but on the latter becoming independent this ceased, and in 1788 Sydney was established as a settlement for the reception of convicts from England. After a time Australia commenced the agitation which resulted in the closing of her ports to these undesirable settlers, and in 1849 Lord Grey infuriated the Cape Colonists by attempting to send some Irish political convicts to them. It was rightly regarded as an unpardonable insult. English spirit and Dutch resolution joined in a resistance which proved successful, and stimulated the demand for self-government so strongly that the Governor, Sir Harry Smith, found himself obliged, without waiting for instructions, to commit the Imperial Government to consent.

The Cape continued to increase in population, and the Home Government thought proper to ask it to defend itself and become responsible for its own Government. To this the Colony replied, as the Free State had done, that it was ready to take this double responsibility, but that it must have control of its native policy. Lord Kimberley had assented to this reasonable condition, while Lord Carnarvon had urged it most strongly when he began withdrawing the Imperial troops and making pecuniary payment the condition of the retention of the remainder.<sup>1</sup>

Serious evils had been entailed on the community by the vacillating policy of the Home Government, and the unsympathetic action of the Imperial officials, who desired only to limit responsibility, and who considered that they had a first mortgage on the revenues of the Colony, so that while their salaries were paid no trouble need be taken to increase the resources of the Colony, or to rule and protect districts

<sup>1</sup> See *I. P.*, C—459, p. 66; also *I. P.*, C—1776, p. 8.

exposed to native attack.<sup>1</sup> With the grant of responsible government this was to be changed, so it was then believed, and those on the spot were to have the control of affairs which most nearly concerned them. Had this belief been justified the result would have been to draw all South Africa together again.

A further question which had given rise to serious dissensions was the question of East and West, of which we have already seen the disastrous results; but we may recall the origin of this trouble. Port Elizabeth, from its situation in the middle of the Cape Coast line and from the fact that its connections with the interior were less impeded by the mountainous rampart which lies near the coast all round South Africa, was able to develop a very large trade not only with these Cape districts but even with the Orange Free State and the Transvaal. Englishmen with their commercial instincts seized on it and soon raised a large town. The customs revenues grew rapidly, and it was remembered that, in 1820, 3,000 settlers had come direct from England to these Eastern districts. On the strength of this it called itself the English end of the Colony, though some of the districts larger than those occupied by the English settlers were occupied by Dutch. Seeing its revenues growing so rapidly, it was thought that if it became a separate settlement it would have the undivided enjoyment of the whole of them.

The commercial community sought the support of any forces which would assist it against its rival, Cape Town. With this view the merchants of Port Elizabeth had always given their support to the Eastern party, and viewed with growing jealousy and fear the improvement of the facilities of communication between Cape Town and the interior, for they saw a portion of their trading

<sup>1</sup> *E.g.* the reserved schedules and Sir P. Wodehouse and Southey's contentions, p. 182.

area thus taken from them by their rival. In 1854 in constituting the Legislative Council the country was divided into two electoral divisions, the Eastern and Western Provinces, which elected the members of the Legislative Council. Thus the name Eastern Province arose, and a constitutional sanction seemed to recognise the separatist feeling, which had attained such proportions in the middle sixties, as to destroy the legislative activity of the Parliament. As we have seen, however, the introduction of responsible government had destroyed this cry. The first Ministry represented both parties in its personnel, and addressed itself to the great task of developing the physical resources of the country, and the extension of its rule over the natives on its borders, with the solid support of the whole Colony, while the division of East and West had been effaced from the Statute Book by the Seven Circles Act, which divided the Colony into seven circles for electoral purposes instead of two. The new system needed only time to ripen into a complete national unity. It was just at this critical stage of constitutional development that Lord Carnarvon chose to startle South Africa with his crude proposals.

There were then no longer any burning questions in the Cape Colony. It was proud of its newly acquired privileges and was turning them to full account. The discovery of the diamond fields had brought a most timely aid in a great increase of wealth and revenue. Education was being extended with renewed activity and vigour among both whites and blacks, and the physical barriers to communication were being overcome by means of roads and railways and bridges. These tasks, and the more difficult one of extending civilised rule over the natives, now being carried out with conspicuous success, were more than enough to occupy the full attention of the Cape Colony, and the great questions which were agitating public feeling in South Africa at this time arose out of

the relations between the Imperial Government and the two Free States.

When Sir Henry Barkly arrived at the Cape he had found his predecessor in the office of High Commissioner, committed, under the advice of Mr. Southey and Mr. Griffiths, to a policy of high-handed antagonism to the Orange Free State. While the question of the ownership of the territory known as the diamond fields was still in dispute with the Orange Free State, the High Commissioner proclaimed British sovereignty over it, and this high-handed and unjust act was naturally resented by the Orange Free State as a violation of the Bloemfontein Convention of 1854, while it affected also the South African Republic as an infringement of their rights to the land north of the Vaal River. That the Orange Free State was right in this claim was subsequently proved in British courts, and admitted by the British Government, who eventually paid compensation for it. This act of the Imperial Government had given rise to a very bitter feeling on the part of the Free State. We can easily understand the origin of a feeling that England had abandoned the country because it found the responsibility of defending the inhabitants too irksome a task. At that time the territory was believed to be valueless, now England had turned round and annexed a portion of it by force so soon as diamonds were discovered within its borders. At the same time a lengthy and embittered correspondence was proceeding between the High Commissioner and the Republic, in regard to the boundary of Griqualand West and the South African Republic on the Batlapin border.

Mr. Molteno had kept the Cape Colony entirely aloof from these disputes, which had begun before he had taken office. To such an extent was this the case that Mr. Froude and Lord Carnarvon subsequently complained that the Cape had left the brunt of the trouble to be borne by the Home Government. As the Cape had no *locus standi*, it is not easy to see how

any other course could have been taken. Mr. Molteno had protested against the policy of the High Commissioner, so far as he could do so by resolution in Parliament; and indeed at a later date, when the Cape was asked and consented to give its aid in the adjustment of this dispute, Lord Carnarvon settled the matter without the Cape advice, which he had himself requested. Owing to this dispute there was a very strong feeling in the Cape Colony among those who sympathised with the Free States against Sir Henry Barkly, while he was also unpopular among the Easterns because he had on his first arrival been the instrument for the introduction of responsible government, which they had so bitterly opposed. Skilful use was to be made against Mr. Molteno of both these feelings by the wire-pullers who ran Mr. Froude in their own interests.

The disputes with the Free States, the discontent and rebellion in Griqualand West, and the introduction of a new native policy, together with the modification in the constitution of Natal then being carried out by Sir Garnet Wolseley, were the principal difficulties which faced South Africa at this time. It is important to observe that they were all due, not to the course pursued by the inhabitants of the country or the authorities responsible to them, but to the direct action of the authorities appointed by the Crown. In Natal, Imperial officials were supreme and had control of the native relations, and in justice to them it must be said that they had managed them well. But the Exeter Hall party in England were not satisfied. The policy of the officers on the spot was declared a failure by Lord Carnarvon, and an able and conscientious man, Sir Benjamin Pine, who was entitled to praise for his energetic action, was now recalled in disgrace—a sop to the Cerberus of uninformed public opinion. In Griqualand West, as we have already seen, the troubles were due to the officials who were directly appointed by the Crown; while the strained relations

between the Republics and the High Commissioner had been brought about by the action of the latter entirely unfettered by Colonial control. The course originally pursued by the High Commissioner in regard to the Free State was disapproved of by Colonial statesmen, and would never have been entered upon had they then possessed any right to control him. It is surely an instructive and significant fact that the only part of British South Africa which was entrusted to its own self-government was the Cape Colony, where peace, happiness, prosperity, and contentment abounded.<sup>1</sup>

The inhabitants in every part of the country were agreed in pressing forward the industrial and social advancement of the Colony. There were no party cries of Dutch and English, and East and West. The revenue had doubled in the preceding four years; the natives were peaceable and contented, they were beginning to appreciate the benefits of the assistance derived from European organisation, control, and advice, and were gradually being brought to see the advantages of an industrious and peaceable life over that of constant warfare. All the troubles between the Imperial Government and the Free States might have been overcome by taking up a more friendly, just, and conciliatory attitude towards the two States, both of which were amenable to a proper treatment in accordance with the principles of justice, equity, and right to which Lord Carnarvon was constantly alluding, but which he stopped short of putting into practice: the Cape Colony in no sense stood in the way of a fair settlement, its public men had all along sympathised with the republics. The Secretary of State could at once on his own initiative have settled

<sup>1</sup> Mr. Froude admits this when he says in his Report, *I. P.*, C—1899, p. 76, 'It was on account of difficulties which had arisen in them' (i.e. the other colonies and states) 'alone that the conference had been designed, the Cape being only secondarily interested except in regard to the more remote question of confederation.'

these differences, as he eventually did in regard to the Orange Free State. Lord Carnarvon, however, conceived that they afforded him an opportunity of inducing the Republics to place themselves under British rule by forming a confederation in accordance with his plans. So little did he understand these States that he conceived it quite probable that they would sell their birthright of freedom for the mess of pottage which he would offer them in connection with the diamond fields, while as a matter of fact the very essence of their dispute was that the acts of the High Commissioner struck at their independence; the mere loss of territory was as nothing compared with this consideration.

As we have seen, Lord Carnarvon's views on first taking office in 1859 coincided very completely with those who wished to curtail our empire. As Colonial Secretary in 1867 he had in a most unsympathetic manner informed the Cape Colony that all the Imperial troops must be withdrawn unless they were paid for by the Colony itself.<sup>1</sup> When the Governor pointed out the poverty of the country, and the impossibility of its contributing to maintain an adequate force, Lord Carnarvon replied that it was perhaps a good thing that they should have to contribute at such a period, as it would force them to introduce more economy into their finances, and that in any event the troops must be withdrawn; he would soften the blow by extending it over some years. Meanwhile the reaction against the abandonment of the Colonies had been growing, and the determination of the colonists to maintain the connection was reacting on sentiment in the mother country. Lord Carnarvon had seen the working of the Canadian Confederation, and in 1874, when he came again into office, he had hinted to the Governor that some such policy as had been carried out in Canada might be tried in South Africa.

Confederation was no new idea in South Africa. Until

<sup>1</sup> Earl Carnarvon to Sir Philip Wodehouse, *I. P.*, C—459, p. 1.

the middle of the century there was but one colony, the 'Old Colony,' or Cape Colony, the parent of all the other settlements. In 1852 the independence of the Transvaal settlers had been recognised by Great Britain, and in 1854 the Orange Free State was formed upon the abandonment of the Orange River Sovereignty by Great Britain. Nevertheless the statesmen upon the spot had regarded these acts as the outcome of the original mistake on the part of the Imperial Government in alienating the farmer population, while they were still further disappointed when they saw England insisting upon abandoning the Orange River Sovereignty against the wishes and entreaties of the majority of its inhabitants.<sup>1</sup> In 1854, representative institutions had been established in the Cape Colony, and Mr. Solomon had drawn attention in his election address to the necessity for the reconsolidation of South Africa. That unity was its natural destiny, despite the unfavourable conditions then prevailing.

The advent of Sir George Grey as Governor in the same year, and his fostering care of, and interest in, the welfare of the whole population, had brought about a better feeling towards English rule. He perceived by means of the full knowledge of the problem on the spot that reconsolidation was a vital necessity for South Africa. The feeling for union with the Cape Colony had remained alive in the Orange Free State, and favoured by the sympathetic action of Sir George Grey, it passed in 1858 a resolution in favour of annexation to the

<sup>1</sup> The abandonment was characteristic of much that has been done by the British Government in South Africa. So little knowledge or interest was taken in the matter, that only one dissident arose in the House of Commons to protest against the proposal. Sir Charles Adderley, whose knowledge of Cape affairs was unrivalled, urged most forcibly that as representative institutions had been already promised to the Cape and were already in process of being established, we were bound to hand over to it in good order the engagements we had formerly assumed to ourselves, but it was characteristically asserted 'to be simply a home affair, and that the Cape need not even be consulted.' Adderley, *The Colonial Policy of Lord John Russell's Administration*, p. 173.



Cape. In bringing this resolution before the Cape Parliament, he said :—

You would, in my belief, confer a lasting benefit upon Great Britain and upon the inhabitants of this country if you could succeed in devising a form of federal union, under which the several provinces composing it should have full and free scope of action left to them through their own local Governments and Legislatures upon all subjects relating to their individual prosperity or happiness, while they should act under a general Federal Government in relation to all points which concern the general safety or weal.

It was upon the receipt of this address in England that Sir G. Grey was recalled for having brought the question forward.

Between the year 1860 and 1865 the question of the voluntary reannexation of the Free State and Transvaal to the Cape Colony was freely mooted in those States; but the Imperial Government definitely refused to entertain the matter. Notwithstanding the action of Sir Philip Wodehouse in his interference between the Basutos and the Free State just when the latter, after numerous sacrifices, had shown their unquestionable superiority, the Orange Free State had steadily remained true to the aspiration for reannexation. When the question of responsible government was being brought to an issue in the Cape Parliament in 1871, the Free State openly<sup>1</sup> said that it was prepared to join the Cape if responsible government were accepted, but not otherwise. The President of the South African Republic, in conveying his congratulations to Mr. Molteno on the latter's accession to office as the first premier under responsible government, had referred to the enhanced prospect of a closer union between the different colonies and states of South Africa.<sup>2</sup> Federation was looked upon at this time with so much certainty as the result of the grant of representative government

<sup>1</sup> Sir H. Barkly to Lord Kimberley 30th of August, 1871, *I. P.*, C—508, p. 12.

<sup>2</sup> See *supra*, p. 202.

to the Cape, that Lord Kimberley gave Sir Henry Barkly authority to summon a meeting of all the colonies and states to consider the 'conditions of union.'<sup>1</sup>

This fair project was soon clouded over by the dispute between the High Commissioner and the two Free States in regard to the diamond fields, which has already been referred to. A very bitter feeling was the outcome of this acrimonious correspondence, and we hear no more from either of the States of any desire for union. Nevertheless Cape statesmen did not despair of such a union being ultimately accomplished, with the voluntary consent of the Free States, for they viewed with regret the action of the High Commissioner. They felt that all these difficulties were amenable to wise treatment by the Imperial Government. In the meantime they had abundant good work to do in the direction of this ultimate result. They could contemplate no other union than one under the British flag, which they regarded as the desirable and possible goal for the whole of South Africa. They knew, however, that it was futile at the moment to propose this to the Free States, smarting as they were under what they held to be the injuries they were suffering at the hands of the Imperial Government.

Meanwhile the hands of Cape statesmen were quite full ; they were removing the physical obstacles to union, they were bridging the great rivers, they were opening up the country by means of railways, replacing the slow but useful pioneer ox-waggon by the steam engine. The ports were being developed and placed in easy communication with the interior. The railways were so planned as to link the whole of South Africa together. The education of the people was being improved and extended. The great native territories were being placed under civilised control, a task sufficiently gigantic in itself to occupy all attention for many years to come. The administration was

<sup>1</sup> *I. P.*, C—508, p. 14.

being accommodated to the vast changes incidental to the introduction of responsible government. It was no light task which fell to Mr. Molteno to infuse life and activity into what had been an inert organisation for many years past. Cape statesmen were growing accustomed to the full working of responsible government, it would be time enough to extend their sphere to a confederation when they had shown themselves successful in the administration of their own Colony.<sup>1</sup>

Sir Henry De Villiers writes under date 3rd of April, 1899:

Mr. Molteno was a firm believer in the future federation of all South African colonies and states under the British Crown; but he desired that it should come as a natural growth and not be forced upon the country. His determination was to make this Colony a kind of object lesson to the independent states, in order that the people of these states might see that it is possible for a country to govern itself and prosper although not nominally independent of the British Crown, and his firm belief was that they would in course of time voluntarily ask to be admitted as members of a confederation of South African states. Unfortunately, a series of blunders for which he was not responsible, and into which I do not wish to enter, prevented the realisation of his hopes, and federation now seems further off than it was during the first year of the first Molteno Ministry. He held very strongly that this Colony had no right or duty to interfere in the internal affairs of the independent states, and that a Colonial Ministry had quite enough to do in administering their own internal affairs. He had always urged that the effect of the introduction of responsible government would be to sweep away the abuses which had accumulated under the old *régime*, and he verified the prediction by his own practice. A marked improvement soon became manifest in all departments of government, and surprise was often expressed by friends and foes that a man who had been without official experience until past middle age should have accomplished so much in so short a time. He was the enemy of all unnecessary red tape, and when remonstrated with by officials who had been

<sup>1</sup> We may observe that the Act which introduced Responsible Government was, so to say, entirely theoretical. No practical rules were made by it to regulate the public service, and this fact added to Mr. Molteno's labours enormously, as a proper system had to be evolved gradually, and that with permanent officials who had grown grey under a very different system.

reared under the old system, he successfully bore down all opposition by his energy and determination.

The absence of violent change and burning questions was very essential for the safety, the success, and consolidation of this work. When all these developments had been further carried out, time would have been gained for bitter feelings excited by recent events to have died out in the Free States. A further advantage to be gained by time was that the latter with their small population and resources were necessarily forced to pursue a cruder policy towards their natives, and a uniform policy could not be adopted even if a union were formed at once, but as the white population grew the native policy might be more and more assimilated to the enlightened, the humane, and successful policy pursued by the Cape towards its natives.

We have seen how responsible government was answering the expectations of its sponsors and was being watched with anxious interest by the Free States. The question of union had ever been before the people of South Africa as a natural desire springing out of their common feeling and origin. Had the working of responsible government been allowed to continue untrammelled in the Cape, as it has been in Australia and Canada, it would have been a solution of all South African troubles, both for the Empire and for South Africa itself. The Free States, seeing the freedom of management in all local affairs enjoyed by the Cape, would have been ready in good time to come into a federation under the same system.

Sir Henry Barkly realised all this when he deprecated any such question as confederation being raised at the moment. Lord Kimberley had given him full power to summon a conference, but he had found that the successful introduction of responsible government was as large a step as it was wise or possible to attempt at one time, and he had informed Lord Carnarvon of his views in this respect. Lord Carnarvon had

scarcely entered upon office when he hinted to the High Commissioner that he might be disposed to adopt a policy of confederation in South Africa, on the lines of and following the example of the federation of the colonies of North America. Sir Henry Barkly had, however, immediately pointed out to him that it was impossible to make any change in this direction at present; that separation<sup>1</sup> was quite put out of court by responsible government; and that there was now no idea of splitting up into provinces to be joined again by a federal system. On the other hand, there were serious obstacles to federation owing to the enormous preponderance of the native population in Natal, which alarmed the statesmen of the Cape Colony; responsible government was effecting all and more than could have been expected in the way of consolidating the Cape Colony itself, and was enabling its commercial development to make such progress as would have been impossible under the old system, and was harmonising for the first time the action of the executive with the wishes and feelings of the people:—

Responsible government promises, as I anticipated, to anglicise the Colony. The second reading of the Bill to permit free testamentary disposition passed the other day by an enormous majority in the Assembly. The Government Railway Bill authorising an expenditure of nearly 5,000,000*l.* in constructing nearly 800 miles of railway was read a second time unanimously. A few years ago both would have been objected to as dangerous devices of the Governor.<sup>2</sup>

Subsequently Sir H. Barkly informed Lord Carnarvon that Mr. Molteno shared these views with himself. But the man on the spot was again to be overruled by the Colonial Secretary at a distance, and with very disastrous results. Confederation had never been lost sight of, and in itself was never objected to in South Africa, but the time

<sup>1</sup> That is the old question of the separation of the Eastern Province from the Western.

<sup>2</sup> Sir H. Barkly to Lord Carnarvon, 5th of July, 1874.

chosen for pressing it, and the manner in which it was placed before the country, was resented by the Cape, and, as we believe we can prove most clearly, was very justly resented.

Cape statesmen and the Imperial Governor and High Commissioner were agreed in their judgment that the present was an inopportune time to broach the subject. The people on the spot had shown themselves fully able to take care of their own interests, and were the best judges of the most fitting time and method for the introduction of so momentous a change. If the Home Government in its wisdom thought a conference desirable on the subject, the obvious course would have been to take the proper constitutional means for bringing the suggestion before the Free Parliament of the Cape, and so testing the feeling of the Colony by the opinions of its constitutional representatives. This is no theoretical suggestion, but has the seal of successful precedent in the case of Canada and is what has been pursued in Australia. No Imperial despatch was sent to Quebec announcing a conference and naming representatives, much less was this accomplishment of the will of the Home Government made a matter of agitation by any oratorical commissioner from headquarters.

From the time of Lord Durham's report, published in 1839, the union of the Canadian Colonies had formed a prominent subject for discussion. In 1858 it was made a ministerial measure, and the Home Government was addressed upon the subject. Delegates were sent over in 1858 to consult with her Majesty's Ministers upon the matter. Finally the Canadian Parliament deputed representatives to propose the federation of all the British North American Colonies, and at that conference resolutions were drawn up and formed the basis of the Imperial Act. Lord Blachford, who was himself present throughout the sittings of the Canadian Conference, tells us that Sir John Macdonald was the 'ruling genius and spokesman' and did all the work,

being accommodated to the vast changes incidental to the introduction of responsible government. It was no light task which fell to Mr. Molteno to infuse life and activity into what had been an inert organisation for many years past. Cape statesmen were growing accustomed to the full working of responsible government, it would be time enough to extend their sphere to a confederation when they had shown themselves successful in the administration of their own Colony.<sup>1</sup>

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Mr. Molteno was a firm believer in the future federation of all South African colonies and states under the British Crown ; but he desired that it should come as a natural growth and not be forced upon the country. His determination was to make this Colony a kind of object lesson to the independent states, in order that the people of these states might see that it is possible for a country to govern itself and prosper although not nominally independent of the British Crown, and his firm belief was that they would in course of time voluntarily ask to be admitted as members of a confederation of South African states. Unfortunately, a series of blunders for which he was not responsible, and into which I do not wish to enter, prevented the realisation of his hopes, and federation now seems further off than it was during the first year of the first Molteno Ministry. He held very strongly that this Colony had no right or duty to interfere in the internal affairs of the independent states, and that a Colonial Ministry had quite enough to do in administering their own internal affairs. He had always urged that the effect of the introduction of responsible government would be to sweep away the abuses which had accumulated under the old *régime*, and he verified the prediction by his own practice. A marked improvement soon became manifest in all departments of government, and surprise was often expressed by friends and foes that a man who had been without official experience until past middle age should have accomplished so much in so short a time. He was the enemy of all unnecessary red tape, and when remonstrated with by officials who had been

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reared under the old system, he successfully bore down all opposition by his energy and determination.

The absence of violent change and burning questions was very essential for the safety, the success, and consolidation of this work. When all these developments had been further carried out, time would have been gained for bitter feelings excited by recent events to have died out in the Free States. A further advantage to be gained by time was that the latter with their small population and resources were necessarily forced to pursue a cruder policy towards their natives, and a uniform policy could not be adopted even if a union were formed at once, but as the white population grew the native policy might be more and more assimilated to the enlightened, the humane, and successful policy pursued by the Cape towards its natives.

We have seen how responsible government was answering the expectations of its sponsors and was being watched with anxious interest by the Free States. The question of union had ever been before the people of South Africa as a natural desire springing out of their common feeling and origin. Had the working of responsible government been allowed to continue untrammelled in the Cape, as it has been in Australia and Canada, it would have been a solution of all South African troubles, both for the Empire and for South Africa itself. The Free States, seeing the freedom of management in all local affairs enjoyed by the Cape, would have been ready in good time to come into a federation under the same system.

Sir Henry Barkly realised all this when he deprecated any such question as confederation being raised at the moment. Lord Kimberley had given him full power to summon a conference, but he had found that the successful introduction of responsible government was as large a step as it was wise or possible to attempt at one time, and he had informed Lord Carnarvon of his views in this respect. Lord Carnarvon had

scarcely entered upon office when he hinted to the High Commissioner that he might be disposed to adopt a policy of confederation in South Africa, on the lines of and following the example of the federation of the colonies of North America. Sir Henry Barkly had, however, immediately pointed out to him that it was impossible to make any change in this direction at present; that separation<sup>1</sup> was quite put out of court by responsible government; and that there was now no idea of splitting up into provinces to be joined again by a federal system. On the other hand, there were serious obstacles to federation owing to the enormous preponderance of the native population in Natal, which alarmed the statesmen of the Cape Colony; responsible government was effecting all and more than could have been expected in the way of consolidating the Cape Colony itself, and was enabling its commercial development to make such progress as would have been impossible under the old system, and was harmonising for the first time the action of the executive with the wishes and feelings of the people:—

Responsible government promises, as I anticipated, to anglicise the Colony. The second reading of the Bill to permit free testamentary disposition passed the other day by an enormous majority in the Assembly. The Government Railway Bill authorising an expenditure of nearly 5,000,000*l.* in constructing nearly 800 miles of railway was read a second time unanimously. A few years ago both would have been objected to as dangerous devices of the Governor.<sup>2</sup>

Subsequently Sir H. Barkly informed Lord Carnarvon that Mr. Molteno shared these views with himself. But the man on the spot was again to be overruled by the Colonial Secretary at a distance, and with very disastrous results. Confederation had never been lost sight of, and in itself was never objected to in South Africa, but the time

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Cape statesmen and the Imperial Governor and High Commissioner were agreed in their judgment that the present was an inopportune time to broach the subject. The people on the spot had shown themselves fully able to take care of their own interests, and were the best judges of the most fitting time and method for the introduction of so momentous a change. If the Home Government in its wisdom thought a conference desirable on the subject, the obvious course would have been to take the proper constitutional means for bringing the suggestion before the Free Parliament of the Cape, and so testing the feeling of the Colony by the opinions of its constitutional representatives. This is no theoretical suggestion, but has the seal of successful precedent in the case of Canada and is what has been pursued in Australia. No Imperial despatch was sent to Quebec announcing a conference and naming representatives, much less was this accomplishment of the will of the Home Government made a matter of agitation by any oratorical commissioner from headquarters.

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while Lord Carnarvon's presidency was 'disappointing.'<sup>1</sup> Sir Charles Adderley, Under Secretary for the Colonies at the time, says :—

The Imperial Legislature acted extraneously, so to speak, to the transaction, having not to institute the arrangement, but only to ratify and confirm the colonial compact. . . . The Act of Union simply embodied in an Imperial enactment the provincial resolutions passed at Quebec.<sup>2</sup>

It is strange that with this knowledge of the history of the federation of North America, Lord Carnarvon should have fallen into the grave errors which characterised his actions in connection with the proposed federation of South Africa. He seemed quite unable to apply the knowledge he possessed and the principles of which he often spoke to the complicated and difficult problem with which he rashly attempted to deal.

There was now to be seen a tremendous reversal of Imperial policy towards South Africa. In 1854 the Orange River Sovereignty was peremptorily abandoned despite the protests of its inhabitants. In 1877 the Transvaal was annexed notwithstanding the protests of its Government and people. These events mark the limits of the two extremes.

<sup>1</sup> *Letters of Lord Blachford*, p. 301.

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## CHAPTER XIII

## MR. FROUDE AND THE CONFEDERATION DESPATCH. 1875

Mr. Froude selected—His Character—His Mission—Disclaims official character—His first Visit—Lord Carnarvon's Proposals—They startle South Africa—Lord Carnarvon appeals directly to the People—Mr. Froude's Letter—Mr. Molteno advises delay—Reception of Proposals by Cape Parliament—Debate—Their Rejection.

THE key-note of Lord Carnarvon's policy was the contraction of British responsibilities in South Africa and the reduction of the Imperial forces maintained there. With this object the Cape Colony was to be made responsible for the government and defence of the whole of South Africa. In the sequel we shall see that the unwise prosecution of this object (in itself most excellent) led to a vast extension of the employment of the Imperial troops in South Africa and an enormous loss of life and treasure. As a beginning he proposed to himself the task of ridding the Imperial Government of the troubles and responsibilities of Griqualand West and Natal. If this object could be accomplished by means of a great federation of the Colonies and the States so much the better; but if not, then it must be the main object of his South African policy to make the Cape Colony responsible for Griqualand West and Natal.<sup>1</sup>

Mr. Froude, whom Lord Carnarvon called to his aid in this project, was a man who confessed that his mind and

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despatch without delay, and thus avowedly appealing to popular feeling, was a direct personal appeal to the people by the Crown, passing over the heads of the Ministry, such as would not for one moment be tolerated in England itself, and was entirely unconstitutional.<sup>1</sup>

In face of these positive instructions, Sir Henry Barkly felt it his bounden duty to publish the despatch. At first he suggested to Mr. Molteno, on discovering what the nature of the Ministerial Minute would be, that instead of the despatch being laid upon the table, it should be merely published, without comment, in the Government Gazette; but he received an intimation, in reply, to the effect that the propriety of tendering their resignation on publication had already been discussed in the Cabinet, and that his proposal would leave no other alternative. The Ministers recommended that copies of the despatch, together with copies of their Minute, should be presented to both Houses of Parliament, but declined to advise further in the matter. As the Minute was subjected to severe criticism, and was in the heat of discussion termed discourteous by Mr. Molteno's opponents,<sup>2</sup> we give it *in extenso* :—

7th of June, 1875.

Without entering upon a discussion as to the extent to which the many important questions touched upon in this despatch may affect this Colony, Ministers are of opinion that its interests would

<sup>1</sup> In England Lord Carnarvon was her Majesty's adviser, holding office only so long as he enjoyed the confidence of the Imperial Parliament. But Lord Carnarvon's position could not be affected by a vote of the Cape Parliament. In the Colony he represented the Imperial power and majesty of the Queen. At the Cape it was not Lord Carnarvon, but Mr. Molteno who was the removable adviser of the Crown. Thus, for Lord Carnarvon to direct, without waiting for Mr. Molteno's advice, that the 'fullest publicity' should be given to the despatch 'without delay,' is much the same as if the Crown had made a direct appeal by issuing an address, say, on Disestablishment, to the inhabitants of Ireland without the advice of the Cabinet.—*South African Conference*, p. 12.

<sup>2</sup> This impression was to be found in the English Press, which took its cue from Mr. Froude, who, in Grahamstown, said the Minute would have been considered a declaration of war in the case of any foreign country.

not be promoted by pressing forward at the present time such a Conference as the Secretary of State proposes.

When, however, circumstances more favourable than at present shall render such action advisable, Ministers consider that it would be most undesirable that the Colony should be represented as proposed in the despatch. The unfortunate distinction between the eastern and western provinces, which in times past has been productive of so much inconvenience, now, happily, no longer exists, and should certainly not in any way be revived.

Ministers have the honour to state further that, in their opinion, the proportionate number of delegates who should represent the Cape Colony at any such Conference, and the selection of representatives to whom the discharge of such important functions would be entrusted, are questions, more especially the latter, which it would seem very desirable to leave to the free action and judgment of this Colony.

Under these circumstances, and as Ministers feel assured that nothing will be gained, in so far as this Colony is concerned, by any action which may now be taken in reference to this despatch, they do not feel themselves in a position to advise in the matter, beyond agreeing to the suggestion that copies of this despatch be presented to both Houses of Parliament, together with copies of this Minute.<sup>1</sup>

On the 9th of June, the despatch was laid upon the table of the House. And for the due appreciation of the attitude of the Government in the debate that followed we must bear in mind that Mr. Molteno had been accused, by some of the most moderate members of the House, such as Mr. Vintcent, of undue deference to the wishes of the Home Government in assenting to Lord Carnarvon's desire for the removal of Langalibalele. The echoes of the great debate which had arisen upon the Bill for committing him to the mainland, and which had raised the whole question of the relations between England and the Colony under responsible government, had scarcely subsided. The manner of its reception was graphically described at the time:—

A few other preliminaries having been disposed of, the Colonial Secretary said that he had a despatch from Lord Carnarvon to lay

<sup>1</sup> I. P., C—1399, p. 5.

on the table. There was silence in the House at once. The Colonial Secretary read the heading to the despatch, and handed it on, saying that the Minutes from his Excellency the Governor and the Ministry were attached. The Premier had no sooner deposited the pile of foolscap on the table than several members rose to their feet ; but the voice of Mr. Walter was the first to be heard. He moved that the documents just presented be read by the Clerk at the table, and an unanimous cheer gave a ready assent. Mr. Noble, the Clerk, then commenced, and the House never paid greater attention. Members sat staring at the Clerk as he read, some with outstretched necks that they might have a better view of that officer. Perfect silence was preserved as paragraph after paragraph fell on the ears of the hon. members, till the name of Sir A. Cunynghame<sup>1</sup> was mentioned. Then arose from all sides a shout of derisive laughter, which was repeated again and again, till it was impossible to hear Mr. Noble's voice even in the Press gallery. The House appeared to think that, however well the General might do at the head of an Army or in command of a storm-tossed yacht in the Euxine, he is not exactly the man to preside over a conference of delegates from the various South African Colonies and States. The hilarity at the mention of his name was continued so long that Mr. Solomon rose to order, and asked the Speaker to allow the Clerk to begin again from Sir A. Cunynghame's name. Silence was then restored, and Mr. Noble read on till he reached the name of Mr. Froude, when derisive laughter once more broke forth. The eminent historian evidently does not stand high in the opinion of the House of Assembly as a practical statesman. Mr. Noble, when he could be heard, went on again, and continued uninterrupted till he mentioned the name of Mr. Paterson. More laughter here took place, and a voice was heard saying 'that is the best joke of all.' Not all the 'noble Earls' in England could keep the House serious at this stroke of humour in a grave despatch, and the remainder of the document was listened to as if it formed part of a comedy. When Earl Carnarvon was induced to put his name to such a despatch he had no idea that it would have been so mirth-provoking to the most influential legislative body in South Africa. The Minute of the Governor was heard in silence, but as the Clerk read the Minute of the Ministers each sentence was received with cheers. The feeling was that Mr. Froude will not be allowed, through Earl Carnarvon nor any other British Minister, to dictate in the internal affairs of this Colony, about which every member of the local Parliament knows more than all

<sup>1</sup> The officer commanding the Imperial troops at the Cape.

the eminent philosophers and historians in Great Britain, including that particular one who thinks he learned more in two months on post carts rushing through the country, than careful students familiar with all these parts have done in twenty years. The documents were ordered to be printed, and then it is to be supposed that a copy will be framed and placed in the South African Museum, where it will be the greatest curiosity. Mr. Sprigg could not trust himself to speak on the subject at the moment, but he said that on a future day he would give a notice of a resolution.<sup>1</sup>

This, unfortunately, was neither the first nor the last scheme which was to be carefully conceived and thought out with the very best intentions by persons sitting in Downing Street, having no practical acquaintance with the character of the people and the nature of the conditions with which they were attempting to deal, and without that power of imagination which would enable them to appreciate the feelings of others. It is true that in this instance they had sought for aid and found it at the hands of a rash theoriser and imperfect observer of facts; but Mr. Froude's hastily formed and incorrect judgments were not likely to save them from the hopeless errors into which, as we have seen, they had so helplessly fallen. This scheme, which to those in England appeared harmless, and abounding in good intentions, was received on the spot in a most tumultuous manner by the highest and most dignified representative body of the country, so incongruous and so utterly unsuited was it to the circumstances. Well would it have been for its authors and for the people concerned had they taken warning from its reception and desisted from pursuing a course which was so clearly condemned to failure from the outset; but with the persistent obstinacy which unfortunately usurps in some minds the place of a wise and discriminating judgment, Lord Carnarvon determined to pursue his object regardless of the fatal consequences which those who spoke with a weighty sense of responsibility upon

<sup>1</sup> 'Notes in Parliament' in the *Argus*.

the matter, did not fail immediately to perceive and to convey to him.

When we have regard to Lord Carnarvon's persistency in the course he had chosen, his ignorance of the conditions under which he was attempting to apply his policy, and the fatal results of that policy, we may fitly say :

But man, proud man,  
Drest in a little brief authority,  
Most ignorant of what he's most assured,  
Plays such fantastic tricks before high Heaven  
As make the angels weep.

The day after the presentation of the despatch, Mr. Sprigg, a leading opponent of the Ministry on the Langalibalele question, gave notice of a resolution approving of their action on this occasion, and claimed on the score of privilege the appointment of an early day for the discussion. This resolution expressed approval of the Minute of the Ministers, and further stated that, the Colony being possessed of responsible government, it was desirable that any such proposal as that contained in the despatch of the Secretary of State should, so far as the Colony was concerned, come from its Government acting in harmony with the Legislature, who were best able to judge of the time and occasion on which such a proposal could be considered with most advantage to the people of the Colony.

The debate commenced at two o'clock, and was continued until eleven. Several amendments were moved, but the resolution in its original form was eventually carried by 32 to 23. And it should be observed that the minority did not vote for the conference, but merely for thanking Lord Carnarvon for the interest he had shown in South Africa. The right of the Imperial Government to deal with every part of her Majesty's dominions as the general interests of the Empire may require, was fully recognised ; but as a matter of policy the members denied the propriety and ex-

pediency of the initiation—on the part of the Secretary of State—of political movements, which, to be beneficial in their effect, ought to originate with the people directly affected, and they said it was most desirable that any movement in favour of the confederation of the States of South Africa should come spontaneously from the peoples of those States.

The Colony had long formed part of the British Empire before it was entrusted with the management of its own affairs; it was longer still before it had the privilege of representative institutions; and another generation passed before self-government was granted. This gradual introduction of free institutions had tended to their stability and satisfactory working, and if a federation of the South African States were to take place, it ought to be when time had shown that the country possessed men, who, successful in the management of the affairs of a Colony or Independent State, had proved their fitness to guide the destinies of a Union of the kind stated. The Cape Colony was still under its first responsible Ministry; the Free State and the Transvaal were each under the first Presidents who knew anything of constitutional government in the English sense; Griqualand West was under a government which had proved most unsuccessful; and Natal was at the moment under the dictatorship of Sir Garnet Wolseley.

Native policy had been put forward as one of the reasons assigned for the proposed conference; but the natives ruled by the Cape Parliament had never been more peaceful, more prosperous, or in a position to make greater progress. As Mr. Sprigg said in the course of the debate:—

Has there ever been a time within the memory of the oldest member of this House when the natives within and beyond the border were more peaceably disposed than they are at present? A few days ago a resolution passed this House unanimously

approving of the annexation of a large territory across the Kei, swarming with natives. Was that indicative of 'widely extended dissatisfaction'? Do we not know that the very reverse is the case; that the natives of South Africa are so well pleased with our rule, are so thoroughly satisfied of the beneficial results of our native policy, when of their own accord they come by thousands and ask to be annexed to this Colony?

It was pointed out that, in the case of Canada, the question of confederation had been mooted in the Colonies themselves, and not forced upon them by the Home Government, and the sincerity of the British Government in desiring a confederation was laid open to doubt, for it was feared that it was merely the desire to rid itself of the troubles in connection with Griqualand West and Natal, and the disputes with the Independent States, which had led it to propose this conference.<sup>1</sup>

The position was very admirably summed up by Mr. Sprigg:—

Of all the colonies and states of South Africa this Colony has the least to gain and the most to lose by a confederation, for the certain result of that confederation would be to increase our expenditure and to lessen our revenue. What have we at present to gain by a confederation? We have the command of the sea, the natural heritage of the British race. The Colony is wide enough to meet our utmost desires. We are at peace with every native tribe upon our border. I ask the House, then, not to be led away by high phrases about extending the bounds of the British Empire, and throwing the shield of England over the coloured races of Africa—phrases indulged in by certain speakers in this House, in Port Elizabeth, and in some other parts of the Colony, and by Lord Carnarvon in a recent speech in the House

<sup>1</sup> This was well put by Mr. Solomon: 'I believe that there are questions and difficulties which the present Home Government are anxious to escape from, let them say what they like about the integrity of the British Empire, and their duty of fulfilling the responsibilities attaching thereto. They may send out Sir Garnet Wolseley, and renowned warriors, and regiments of soldiers to the Cape, if they wish to coax and seduce us to agree to their terms. The statesmen of England know how to manage these matters when they have once set their hearts on carrying its plans. Sir Garnet Wolseley has not been sent to Natal simply to protect Natal.'

of Lords ; for these phrases only express confused visionary ideas that disappear before the touch and examination of practical men. Let us say, rather, to the Imperial Government—arrange your difficulties and complications with the Dutch Republics yourselves, and you must accept the responsibility ; and not, by pressing the conference, try to cast them upon us. You are in trouble with the affairs of Natal, brought about by your own mismanagement, and by the course you are taking in that Colony you are sowing the seed of a more plentiful crop of troubles for the future, for you are not trusting the people of that Colony, but you are striking down its representative institutions, and setting up instead thereof a despotic kind of government, which will create still greater difficulties than those you now have to encounter. You are in trouble in Griqualand West, because you established there a form of government unfit for Englishmen in any part of the world, and because you sent to carry it out men who showed by their past career that they were disqualified to make the best of even a bad form of government. Let us say to the Imperial Government that when all these differences are adjusted, and all these difficulties removed, and when there is a general intelligent feeling throughout South Africa that a union of all the colonies and states is desirable, then will be the time for the representatives of the people in the Legislature and for the Government at their head to make certain proposals. And it is because I find the question beset with difficulties, because I do not believe that there is any great consensus of public opinion in favour of a confederation of all the Colonies and States of South Africa, that I beg to move the resolution in my name.

The questionable character of Lord Carnarvon's action was pointed out by Mr. Solomon :—

It was maintained that Mr. Gladstone's Ministry was favourable to the breaking up, as it was called, of the British Empire, and one of the advantages I supposed to result from the Government of the present Conservative Ministry was that it was supposed to be favourable to consolidating and preserving the integrity of the Empire. I would ask, then, are we to look on Lord Carnarvon's despatch as an illustration of the desire of the Conservative Government to preserve the integrity of the Empire, and as indicative of the way in which this is to be done ? Mr. Gladstone's Ministry, and the Liberal Party generally, gave the Colonies large powers of self-government, and their policy was seldom or never to interfere in their domestic affairs. Are we to regard this



despatch of Lord Carnarvon's as indicating a reversal of this policy, and as proving that the present Government are determined to interfere, and that largely, with the domestic policy of this Colony? I feel, therefore, that there is a large question connected with this subject, and I, for one, sir, am not of opinion that this House should give its adherence to any such principle as that, or should entertain for a moment the doctrine that we are to be governed from Downing Street, and that the Home Government is to interfere in the domestic affairs of this country. Those who have read the articles on the colonies by Mr. Froude—and here let me say that I speak of that gentleman with respect, for I have a very high opinion of his character and abilities—will know that he has considered that the colonies have too much power of self-government granted to them, and that in some things, as in the Crown lands in the colonies, the British people have been deprived of what is their heritage, and that the disposal of them should not be left in the hands of the colonists alone. I mention this as an indication—seeing that Mr. Froude is to be Imperial Commissioner at this Conference—of what seems to be the policy of the present Conservative Government, which is, in my opinion, a policy of interference with the domestic concerns of this Colony, and perhaps of other colonies.

The illogical position taken up by Lord Carnarvon in regard to the native policy was further very clearly shown by the same speaker :—

Lord Carnarvon in this despatch lays down the new native policy to be adopted there, and surely it is putting the cart before the horse to send out Sir Garnet Wolseley to introduce a new native policy at Natal, and to state what it is, and then to suggest a conference of delegates to decide upon a native policy for the whole of South Africa. It seems most extraordinary that Lord Carnarvon should first introduce a system of native policy, publish it to the world, and then suggest a conference to deliberate what that native policy should be. That, I think, introduces an enormous difficulty, for how is it possible that the British Government can run counter to its own policy—if we suppose the conference to report in favour of a policy of its own, and opposed to that introduced into Natal—after England had sent one of its ablest men to initiate a new policy and to overturn the constitution of Natal in order to carry out effectively that policy? How is it possible that the Home Government could agree to reverse that policy after such proceedings as these? From all points a con-

ference, in my opinion, is unnecessary, and can be productive of no good ; I go further, and say it will be productive of harm, for agitation of these questions cannot be carried on without a considerable amount of strong and perhaps bitter feeling, and it is for us to tell Lord Carnarvon that he ought not to have proposed a question which can be productive of no good, and may cause much mischief.

This forecast was amply fulfilled by events.

The amendments which were moved merely proposed to thank Lord Carnarvon for the interest which he had taken in the Colony ; but none of them agreed in any way to enter upon a conference, or to recommend its being called at an early date. Mr. Philip Watermeyer, the member who had been regarded as representing largely the interests of the Free State and the Transvaal, supported the amendments because he believed that Lord Carnarvon was exhibiting a genuine desire to meet the wishes of the Independent States in the controversies which had been carried on between the High Commissioner and those States since the discovery of the diamond fields. Mr. Paterson, who had been largely associated with Mr. Froude, naturally supported Lord Carnarvon's proposals, as did Mr. Laing and Mr. De Wet. Mr. Molteno pointed out that this premature action was likely to throw back and retard confederation more than anything else, and this opinion has been amply proved by what has since happened.

We are going on very comfortably, and our affairs are in a very good way. Our native policy is exceedingly successful, and we are perfectly satisfied with it. We do not see what occasion there is for a conference to discuss a new native policy. I maintain that the Government here, if it does its duty, cannot advise a conference being called together to consider such a subject. There is nothing pressing upon this Government just now as a reason for going into anything of that sort. I believe that this premature action will do more to retard confederation than anything else. This is a delicate subject, and a false step at this particular time may throw back such a thing tremendously. I hold it was most inopportune to throw down a question of this sort just now.

Reverting to the nomination of delegates he exclaimed :—

Surely the Free State and the Transvaal, where the delegates were not named, will consider it a most extraordinary thing that in this Colony, with responsible government, the Imperial Government should take upon itself to name our representatives.

This remark shows the wide view which the speaker took of all these questions. It was the hope of South African statesmen that responsible government was to prove a solution of all South African troubles ; but it must be real, and not a sham ; and Lord Carnarvon, in this despatch, as in his subsequent conduct towards South Africa, clearly showed that he was ready to treat it as a sham and a delusion, so far as local control was concerned. And in a few words he explained why he thought it unnecessary for the Colony to go into the question of confederation at present :—

I wish to be clearly understood on that point. The Colony does not set its face against confederation, but it says we are not ready for it yet, and when we are we will thank you, the Imperial Government, to consider certain things and to make certain provisions before you propose this scheme again ; and perhaps you will have the kindness to make a note of that, so that on the next occasion you may avoid these complications. I think the unsettled state of affairs in South Africa at present a sufficient reason against going into the matter now. What would be the good of our being drawn into all these complications ? Confederation is all very well as an outlet for the ideal fancies of certain folks at home, but these instructions or suggestions of Lord Carnarvon are expressed very vaguely and guardedly in this despatch, for in it he said plainly you must consult your own interests. Now, I ask, once more, how it can possibly be to the interest of this Colony to go into this question under existing circumstances, and what possible good or advantage can accrue ? Are we going to reverse that native policy which the Home Government have acknowledged to be successful ? Certainly not. If any of the neighbouring states want to join us and will give up their native policy, that will be a different thing altogether.

With reference to the proposal to give the Free State a

share of the Cape customs dues, as an inducement to it to join the proposed federation, he said :—

A great deal might be said why the Free State and the Transvaal should not receive a portion of the customs duty. Who made all the harbours and the roads? Who built all the bridges and erected telegraphs, kept up and extended postal communication, and everything else of a public nature? This Colony, of course; and the other States, being situated inland, we had to do all these things for them. These States derived great benefit from all these things. It is unwise, however, to raise this question now, and we can do far more with it by-and-by.

Mr. Sprigg, in his reply, concluded by saying :—

During the life of the present Ministry I have on several occasions felt it my duty to oppose their measures; but to-night the Colonial Secretary has made a noble stand for the honour and dignity of this Colony. He has, in my opinion, shown himself to be a true Colonial Minister. He has announced his intention to vote for this resolution, and by so doing to carry out in their integrity those principles of responsible government for the establishment of which he and I alike contended in bygone years; and, looking around this House, I appeal to those members who in the past professed their faith in responsible government, to remain firm in that faith now, and stand by me, side by side with the Government, in resisting this undue interference on the part of the Secretary of State with the rights and liberties of this Colony.

This decision of the Parliament had been arrived at with absolute unanimity on the point that no conference was necessary or desirable at present, and the only question was whether one form of resolution or another was preferable to express this. It had been come to before an appeal had been made to those passions which were now to be quickened into life once more by Mr. Froude's actions; his peculiar cast of views, backed by his genius, his eloquence, and a peculiar set of public conditions, were to lead to a prolonged and fatal disturbance of South African society.

## CHAPTER XIV

MR. FROUDE AND CONFEDERATION—*continued.* 1875

Mr. Froude attends Opposition Dinner—States Lord Carnarvon's Policy—Stumps the Country—Violent Agitation—Visits Western Province—Natal—Eastern Province—Denounces Ministry and Parliament—Correspondence with Mr. Molteno—Assumes position of Royal Commissioner—Extraordinary Statements—Lord Carnarvon approves Proceedings—Comments of the English Press—Mr. Molteno advises a special Session.

AN interval of three weeks elapsed between the receipt of Lord Carnarvon's despatch and the arrival of Mr. Froude at Cape Town. He was terribly chagrined when he found that the whole matter was already dealt with and disposed of by the decisive action of Parliament. Lord Carnarvon's own instructions to avoid any delay had brought about this result—indeed, Lord Carnarvon found great fault with the High Commissioner for not immediately forwarding his invitation to the Free States. Had the question now been allowed to drop, no great harm would have been done; but this was very far from Lord Carnarvon and Mr. Froude's intentions. They were warned by those who were responsible for the peace and safety of the Colony and of South Africa, both by the High Commissioner and Mr. Molteno, that there was great danger if the course on which they appeared to be bent was persisted in.

Lord Carnarvon was informed by the High Commissioner that had Mr. Froude landed simultaneously with the despatch, his enthusiasm and his eloquence might have made many converts; but it was not likely that these qualities would have produced more impression upon a cautious and reflecting man like Mr. Molteno than they actually did on his arrival. Lord Carnarvon had been informed, nearly a year

before, that Mr. Molteno's views agreed with those of the Governor as to the inutility of bringing forward proposals for federation which would prove prejudicial to the Cape Colony by interfering with the native policy, and with the carrying out of public works, and would check the progress of amalgamation between East and West now satisfactorily proceeding under responsible government. He further informed Lord Carnarvon, with a pointed reference to Mr. Molteno, that it was much to be deplored that Mr. Froude, during his former hurried visit, instead of consulting on this subject one whose opinion was certainly entitled to the greatest weight, should have been satisfied with broaching his ideas to persons possessing less experience, who were under no sort of responsibility for the answers they gave.

The High Commissioner pointed out to Lord Carnarvon that there were some Easterns who would look upon a federation movement, paradoxical as it may sound, as a stalking-horse to separation, and these had no doubt encouraged Mr. Froude on his first visit. He would now find them more ready to do so, especially at Grahamstown, the would-be capital of the east; and, 'aided by the republican sympathisers, as well as those who desired, on party grounds, to turn out the Ministry, a really formidable agitation might be organised, in which East would be ranged against West, Dutch against English, and possibly Kaffirs against both; thus disturbing the harmony which prevails in the Colony, and reducing it to even a more critical state than before the introduction of responsible government.'<sup>1</sup> This wise, accurate forecast was, unhappily, to be realised. The man on the spot, as on many previous occasions, gave the warning which was deliberately set aside by the man at a distance, with disastrous results.

Mr. Froude had placed himself in a false position by accepting, even before he landed, an invitation to a public

<sup>1</sup> Letter of Sir H. Barkly to Lord Carnarvon, 25th of June, 1875.

dinner which had been so openly got up as a party political demonstration, that the President of the Legislative Council, the Speaker of the Assembly, and the Members of the Ministry (the latter of whom were added to the list at Mr. Froude's suggestion) felt compelled to decline, while the Governor himself had no alternative but to adopt a similar course. Indeed, he informed Lord Carnarvon that his position as a representative of the Crown had become most embarrassing between one who claimed to be the direct exponent of Lord Carnarvon's views, and his own responsible advisers who highly resented such interposition, and who quoted Lord Carnarvon's own authority in the case of the Dominion of Canada against such interference.

The dinner referred to was looked upon by Mr. Froude as an opportunity for explaining and vindicating the policy of the despatch. Mr. Molteno, however, maintained that any enunciation of Lord Carnarvon's views and intentions towards the people of the Colony ought to be made through its Government and not at an after-dinner speech. When appealed to by Mr. Froude he suggested that the latter should put his explanations in the shape of a letter which could, if desired, be laid before Parliament, and the following correspondence took place between them :—

St. George's Hotel, June 21.

MY DEAR MR. MOLTEÑO,—I have thought over what you said to me about the dinner. I am in a dilemma between two duties, for Lord C. when he sees the interpretation which you have placed upon his despatch, will call me to account for not explaining matters. If you will kindly put in writing your objections to my making a speech, so that I can forward it to Lord Carnarvon in defence of my silence, I am ready to follow your advice. *I was virtually placed at your disposition as I told you, for you were to have had the direction of me and everything.*<sup>1</sup> I feel that I may safely ask you to bear me harmless.

Faithfully yours,  
J. A. FROUDE.

<sup>1</sup> The italics in this and the passage below are the author's, not Mr. Froude's.

As you place me in an official character I have written along with this a separate letter in semi-official stamp. I infer that you object not only to my speaking at the dinner, but to my presence there. Am I right in this?

St. George's Hotel : June 21.

SIR,—I have considered the objections which you laid before me when I informed you that I proposed to explain in public the purport of Lord Carnarvon's despatch. In the ambiguous position which I hold *it would be improper for me to do anything which could have an unconstitutional semblance*. I shall be called on, however, for explanations at home, and I must ask you therefore to put in writing what you stated to me verbally, in a form which I can transmit to Lord Carnarvon.

I have the honour to be,

Your most faithful servant,

Hon. J. C. Molteno.

J. A. FROUDE.

Will you also kindly define for me, for my further guidance, what you conceive to be the limits of my constitutional freedom while I remain in this Colony?

Colonial Secretary's Office, Cape Town : June 22, 1875.

SIR,—In reply to your semi-official communication of yesterday's date I can only reiterate my opinion that any explanation which, in the position you hold, you may wish to make to the people of this Colony as to the purport of Lord Carnarvon's despatch should not, from a constitutional point of view, apart from other reasons, be made otherwise than through the Colonial Government.

Beyond the expression of this opinion it seems unnecessary for me to attempt to define the limits of your constitutional freedom during your stay in this Colony.

I have the honour to be, Sir,

Your most obedient servant,

J. A. Froude, Esq.

J. C. MOLTENO.<sup>1</sup>

Colonial Secretary's Office, Cape Town : June 22, 1875.

MY DEAR MR. FROUDE,—The accompanying reply to your semi-official letter of yesterday will, I hope, suffice.

<sup>1</sup> Both this and the following note were submitted by Mr. Molteno to Sir H. Barkly and approved by him.



Beyond the expression of opinion therein conveyed it is certainly not my wish to interfere with or fetter your freedom of action.

It rests entirely with yourself to decide upon the course to be pursued in regard to the proposed dinner.

Believe me,

Yours very faithfully,

J. A. Froude, Esq.

J. C. MOLTENO.

Mr. Froude at the same time pressed upon the Governor the desirability of immediately forwarding the invitations to the other parties to the proposed Conference, and this course was followed. Mr. Molteno raised no objection provided they were signed by Sir Henry Barkly not as Governor only, but as High Commissioner.<sup>1</sup>

Not only did Mr. Froude persist in pressing this matter, but, after finding that a policy of wholesale adulation was lost upon Mr. Molteno, he permitted himself to hint both to him and to the Governor, that notwithstanding the abstention of the Cape Colony, a Conference would be held, and that the Colony might be made to repent its decision. In regard to this the Governor ventured very respectfully, but most earnestly, to express the hope to Lord Carnarvon that such counsels would not be listened to, and urged that the effect of such a manifestation of anger would be most prejudicial to the real interests of that Federation under the British flag which he hoped some day to see accomplished in South Africa. On the other hand, if Lord Carnarvon were to adopt the same conciliatory tone as in the Langelibalele affair, there was reason to hope that the question of the Diamond Fields annexation would be reconsidered in the next Parliament, and possibly a proposal for a Conference might be originated with a prospect of success. How futile were the Governor's representations will be seen by the terms of Lord Carnarvon's second despatch.

<sup>1</sup> I. P., C—1899, p. 12.

Notwithstanding the warnings which had been conveyed to Mr. Froude of the danger of the course upon which he was about to enter, and after it was pointed out to him that his representation of Lord Carnarvon in public would be committing a constitutional offence, he determined to make use of the dinner to further the objects which he had in view. It had been arranged by a committee composed of Messrs. Barry, Christie, Marquard, Goodliffe, and R. W. Murray, junior. Of these, Dr. Christie was one of Mr. Molteno's bitterest political and personal opponents. Mr. Barry was a brother of Mr. Recorder Barry, whose name had been mentioned in the despatch, and Mr. Marquard officially represented the Transvaal in Cape Town. Mr. Murray was connected with the 'Standard and Mail,' the bitterest press opponent of Mr. Molteno's Ministry and of the High Commissioner's policy. There could be no question of the party character of the committee.

Having handed himself over to the parties opposed to Mr. Molteno, and to the policy of the High Commissioner, Mr. Froude attended the dinner, and made a speech. He began by giving an explanation of his previous visit, which he stated was due to his desire to understand the Griqualand West question and to this alone, a version of the reason for his visit which was scarcely in correspondence with that which he had confessed in his letter to Mr. Molteno, and he repudiated the suggestion that he had come out because he 'had found out a particular policy for South Africa.' 'I am sorry,' he said, 'that anyone should have so bad an opinion of my intelligence as to suppose me capable of anything so foolish.' After referring to Mr. Molteno's opinion that he should address the country only through the recognised channels of responsible government, he admitted that his position was ambiguous, and he expressed his sense of the importance of deferring to Mr. Molteno's views. He said, 'I was

charged with certain messages to the Colonial Secretary of an extremely confidential nature, but these have fallen through also.' He however expressed his sense of the important services rendered to the country by Mr. Molteno, and especially in the Langelibalele affair; and he stated, 'Her Majesty herself and her Ministers had a most grateful sense of the true patriotism, wisdom, and loyalty shown by Mr. Molteno on that occasion,' and 'that it would therefore be exceedingly wrong for me to neglect or at all go against the feelings and opinions of a statesman whom her Majesty had such confidence in as Mr. Molteno.' He admitted that the latter was quite right in jealously guarding their privileges in connection with the newly established responsible government, and he said he would therefore conform to his views and would make no new communication to the audience, but would only deal with the despatch which was already before them. 'If he did otherwise, he was sure Ministers at home and the Queen would greatly disapprove of his going against Mr. Molteno's views,' thus admitting the constitutional objection to his conduct.

He next proceeded to explain the despatch as being intended broadly to enable the Home Government to carry out the principle of responsible government as far as possible in South Africa,

so as to withdraw the active interference of Downing Street and enable statesmen at home to guide themselves by the opinions and views of those whose better knowledge of this country had enabled them to see their way. The Imperial Government fully recognised that it would be extremely unjust to this Colony to throw on it the responsibility, expense, trouble, and difficulty of defending itself against any movement of the natives, and not allow them to dictate their own policy. That was Mr. Molteno's language to me, and it is undoubtedly sound and right. He said also that what we had done in Natal necessarily reacted on this Colony, and that it was impossible to act towards the natives in one part of the country without the action affecting every part

of it. (Hear, hear.) We in England immediately recognised the truth of this, and felt very keenly how extremely well and considerately the Cape Ministry and Parliament had acted in this matter. We immediately sent one of our ablest administrators and soldiers to Natal to provide against any possible danger.<sup>1</sup> We increased the force there, and having recognised the fact also that the native *policy so long misused in Natal at the instance of the Imperial Government had been the principal cause in bringing all this state of things about*, we immediately felt that that policy must be reversed, and reversed consistently with the opinion of the people of South Africa themselves. . . . It was desirable to get wise people from the two free States, from Natal, and from the Cape Colony to talk over the native question, so as to prevent a recurrence of such an affair.

Turning to Griqualand West, he said that things were most unsatisfactory. There was the dispute about the seizure of arms and ammunition which had been the subject of a vigorous protest on the part of the Government of that territory. 'If we looked,' he said, 'at the relations between Griqualand West and the two States, they were not exactly what we should call friendly.' After the protest about the seizure of waggons, 'the Orange Free State did an exceedingly right thing, for instead of provoking a collision as they might have done, they paid the money demanded under protest, and that protest still remains, and their complaint is yet unanswered.'

With regard to the South African Republic,

We there find despatches and counter-despatches, and then unanswerable despatches and then unanswerable answers. You all know what that means in large communities—it means war and nothing else, and to send an ultimatum and put people into the position in which these despatches seem to place the British Government and the Government of the South African Republics, unless it was to end in war, seems nothing but a farce and an absurdity.

<sup>1</sup> Lord Carnarvon in his instructions to Sir Garnet Wolseley, said there was no danger to the peace of South Africa, adding that his duties were to be of a civil rather than a military nature.

And he thought the Cape might assist by agreeing to join in a friendly conference to discuss the questions. As to confederation, he wished people would be so good as to read what Lord Carnarvon had said.

He did not recommend confederation, but said it must be the work of South Africa itself. We wish only to leave South Africa to manage its internal affairs, as we have left Canada, Australia, and New Zealand, and to confine ourselves to their external defence.

As to the two Free States, they must come in only when they are prepared to give up their independence.

So long as the people of the Free States desire to retain their freedom, the English statesman is not born who will ever ask them to surrender it, or endeavour to entice them back under the British flag unless they are willing to come back, and consider it would be for their own benefit.

Mr. Froude at the same time declared that Lord Carnarvon was an intimate and honoured friend of his, and 'I know his mind on all this subject thoroughly well.' Had Lord Carnarvon deceived Mr. Froude, or was Mr. Froude attempting to deceive the Republics? Was it not Lord Carnarvon who annexed the Transvaal by force after failing to entice it into a Confederation?

He contended that there was really no dictation meant :—

That it is a mere question of asking advice—in point of fact what the English Government is doing is this. She is inviting the Free States and the Cape Colony to constitute themselves into a tribunal to try what the conduct of Great Britain has been in those countries in the past, and to guide and direct her for the future.

Was ever a more extraordinary proposition made by a man who told the audience he was Lord Carnarvon's chosen friend, who had been designated to represent Great Britain, and who allowed himself to be described by Mr. Watermeyer at this dinner as the 'representative of Lord Carnarvon, of the British Government, and of Queen Victoria.' But he

did not stop here. As if to assure the audience, who were in sympathy with the Free States, that they had nothing to fear, he added :—

What we have to do is to deal practically and expeditiously with the affairs of Griqualand West and Natal; they will not wait and we have to act. People say wait till things are more matured, but when will that be?

Then he proceeded to condemn British policy and to threaten the Colony if it did not take part in this Conference :—

They will be more matured according to that showing when the British Government has gone on, still pursuing its present policy and rendering itself more hated and execrated, and when the whole thing is in utter confusion up there and down here, when the name of Great Britain is received with hissing and reproof things will, I suppose, then be highly matured, although such a state of things as that would be by no means agreeable to us; *mature this matter is for us at present, and we must act upon it and shall act upon it*, and depend upon it we will act upon it in such a way as to bring about a settlement. If you will help us well and good, if not we must get on the best way we can; but I would very much rather you had somebody there to look after your interests.

In the face of the reference to the protest made to the Free States by the High Commissioner through the Government of Griqualand West, and this reference to the relations with the South African Republics, what are we to say of the conduct of this Imperial envoy? Could such action lead to good results? What must the High Commissioner have felt on reading these words? Mr. Froude had attacked Sir Benjamin Pine in England in regard to the Langalibalele affair. He had on the previous visit, and now again, attacked Mr. Southey,<sup>1</sup> the Imperial

<sup>1</sup> 'I speak with the greatest diffidence—with the strongest sense of the impropriety of setting my judgment against that of so wise and experienced a person as Mr. Southey. Of all persons in South Africa I have seen none so remarkable as Mr. Southey. For clearness of purpose, for calm unflinching firmness, for determined resolution to carry through any purposes which he

Lieutenant-Governor. It was now the High Commissioner whom he did not hesitate to attack publicly, while still holding his office. We are subsequently to find included in his animadversion the Cape Ministry and the Cape Parliament, thus making complete the record of his condemnation of British authority. No wonder Mr. Molteno and all who valued order and decency in public matters stood aghast.

Here, as in subsequent speeches, Mr. Froude pleads guilty on behalf of the British Government to all kinds of injustice towards the Free State and the Transvaal, but if the Home Government were guilty why should they not act justly to these States? It is certainly a strange position for the British Government to take through its representative, to plead guilty to acts of injustice and then ask for a conference to show how these can be remedied. If they had been badly treated by the British Government, by all means let the British Government give them redress as quickly as possible, but how could the Cape Colony remedy any such injustice? It is not to be wondered at that the High Commissioner asked himself in what capacity did Mr. Froude come out to South Africa. As Lord Carnarvon's representative? Had he any commission from the Queen; any instructions from the Secretary of State?

Mr. Froude went on to give reasons for the designation of the representatives in the despatch.

Then there are two names—those of Mr. Molteno and Mr. Paterson. If there had been any intention of forming an might have in hand, I have rarely met anyone equal to him. . . . I will merely say that he knows the aspirations entertained in the Free State, and believes that they can be encountered successfully only by those methods which have occasioned the existing complications in that country. I will not insult Mr. Southey's intelligence by supposing that he is involving the British Government in a quarrel with his neighbours on account of Waterboer or Mankoroane, or any other dark-skinned potentate. He believes that the two Republics are unalterably hostile to British authority, and he intends to coerce them by establishing a powerful state on their Western borders.'—Extract from Mr. Froude's speech at Port Elizabeth, 5th of January, 1875.

official or formal Conference, the Colonial Secretary would obviously and immediately have been applied to as the Responsible Minister of this Colony ; but that not being the case, and the Conference being only of an informal character, her Majesty's Government considered that it was the highest compliment they could pay to Mr. Molteno to put him at the head and front, *having so perfect confidence in him that virtually if he had been pleased to accept the trust he would have had the entire management of the whole affair.* The despatch does not positively name this or that person, it only recommends, and it would have been perfectly competent and easy for Mr. Molteno, having the entire confidence of her Majesty's Government, to make any change he pleased, to appoint anyone he pleased, and to limit the subjects to be discussed, so that this matter of the Diamond Fields, and the change in the laws of Natal were fairly considered. So far as I know it was merely Lord Carnarvon's desire to pay the utmost compliment to the Cape Parliament ; and the name of Mr. Molteno was mentioned, as he might fairly be presumed to represent the feelings of the majority.

This was another astounding statement which Mr. Froude repeated in his letter to Mr. Molteno. Surely it would have been better, had it been true that Mr. Molteno was to be treated with so much deference, that he should have been consulted before the despatch was sent. Was it not mere flattery intended to induce him to assist the policy which had been decided on quite irrespective of his advice or wishes ?

Both the High Commissioner and Mr. Molteno had pointed out to Mr. Froude the danger of rousing the old question of East and West, and with a view to avoid this he now went so far as to state that Mr. Paterson was named in the despatch as the leader of the Opposition, and not to represent the East against the West ;<sup>1</sup> but this statement,

<sup>1</sup> These glosses on the despatch did not make the position clearer. Upon reference to paragraph 9 of this document there is an unequivocal statement that the Eastern and Western Provinces are to rank with the other Colonies and States of South Africa as separate units in the proposed Conference. Mr. Froude's explanation of the choice of Mr. Paterson was therefore disingenuous, and if true was no real reason for placing him in a position of equality with the



as Mr. Froude subsequently admitted, when engaged in fostering this agitation, was rather 'beyond what he ought rightly to have said.' He hoped nothing in his speech would have the appearance 'of an appeal to the people of the Colony against the Ministry and the Parliament.' After his explanation the Ministry would probably take a different view—it was merely a misunderstanding. And, he said,

they are justly suspicious considering past transactions with the Home Government, when anything is laid before them unexpectedly that might appear like an invasion of the newly acquired rights of responsible government, and Lord Carnarvon's only desire was to leave you to settle matters as you will by yourselves.

It is a matter for extreme regret that Mr. Froude did not apply these alleged principles of Lord Carnarvon to himself and leave the decision of the Cape Ministry and Parliament where it was.

Mr. Froude further stated that the despatch was not the result of any 'hasty or sudden resolution,' but 'of long, patient, and careful thought on the part of the wisest minds that could be brought to bear on these subjects. It is not only Lord Carnarvon, but it is all the Ministry and her Majesty herself, who is as anxious as anybody.' If this were so, it is curious that it did not strike these wise men that they could learn anything on the subject from the High Commissioner or the authorities on the spot. It surely shows a defect in their system of reasoning to have neglected such important sources of information which were freely at their disposal. When Mr. Froude said to the High Commissioner, 'How could Lord Carnarvon know that the despatch would raise the old feeling between East and West?' the Governor replied with the unanswerable rejoinder, 'By

Premier, who represented the whole Colony. It was further not in accord with fact, for Mr. Paterson did not assume, nor was he accorded by the Cape Parliament, the position of Leader of the Opposition.

consulting those on the spot.' That Mr. Froude felt instinctively that there was something not quite straightforward in his and Lord Carnarvon's conduct and intentions, seems clear from the following passage :—

Lord Carnarvon is sincere and must not be suspected of sinister designs, and his only object is to take away all these mischiefs, troubles, and anxieties which have for so long a time past been ever working mischiefs here, and leaving you to settle matters as you will with yourselves.

As to this speech, we can only endorse the contemporary criticism of a friendly journal: 'Taking all his utterances together we find them considerably more irreconcilable than is becoming in the diplomatic speech of an officer bearing a commission from the Crown to work out a difficult problem.' Mr. Froude had freely criticised and condemned the Governor and High Commissioner. This officer could make no public defence of his conduct at the time. Mr. Froude had most improperly referred to some private correspondence which he alleged had been received at Bloemfontein from Mr. Molteno, putting a different complexion on a protest made by the High Commissioner in regard to the seizure of arms already referred to. He had placed the action of the High Commissioner and Her Majesty's Government in its relation to the two Republics in the worst possible light. The impression it gave, even to those in favour of Mr. Froude's policy, is shown by what the 'Diamond News' said of this speech :—

Mr. Froude appears to take a pleasure in putting the Dutch against the English, of hitting absent friends behind their backs, and throwing out all sorts of bones of contention to divide us.

while the 'Standard and Mail' pointed his speech by saying :—

The Cape Colony, bound by so many ties with the Republics, will not see them dealt with unjustly, and there is a suspicion gaining ground that because Mr. Froude wishes to see them dealt

with fairly, and that as he is to be the Imperial representative in the proposed South African Conference, we have in that fact the root and reason of this opposition to Earl Carnarvon's despatch.

It is interesting to observe the position which Mr. Froude now took up in regard to Mr. Molteno. He had himself complained and his supporters had emphasised his complaint, that Mr. Molteno had desired to 'gag' him. Nevertheless he had found him too powerful to be ignored, and had flattered him personally while deferring to his views in smoothing down the East and West portion of the despatch; and he was at this stage particularly careful to disclaim any intention of going against the Ministry or Parliament.

The effects of the despatch and of Mr. Froude's action, already prognosticated by those who knew the country and had its best interests at heart, and who spoke with a full sense of official responsibility, began to be manifested without delay. When the despatch was published, and before any sinister influence had had an opportunity of operating, it was condemned by the press of Port Elizabeth; but now, under Mr. Froude's auspices, a violent agitation was set on foot for separation of the East from the West, and for the condemnation of the actions of the Parliament and the Ministry. The intriguing and wire-pulling was commenced in earnest with the aid of Messrs. Barry, R. W. Murray, and Paterson.

The Port Elizabeth and Grahamstown papers were fired with a wild chimera of seeing the Colony represented in the prospective Conference by Mr. Molteno for the West and Mr. Paterson for the East, and began to clamour afresh for Separation. Confederation was now put forward as a means towards securing the severance of the Colony and the establishment of a separate Government somewhere in the Eastern districts.

The Native policy, which was deemed on all hands to be so perfect that Sir Garnet Wolseley was directed by Lord

Carnarvon to shape his administration in Natal on the model of it, was now to be modified and assimilated to the more crude and necessarily more drastic systems of the Free State and the Transvaal, with which Mr. Froude, in his London speech, had expressed himself so enamoured.

And further, as evidenced by the position taken up by the Republican sympathisers in the political dinner to Mr. Froude, the patriotic feelings of the old Dutch Colonists were appealed to as against the tyranny which it was alleged had been practised towards their fellow-countrymen across the Orange and the Vaal. It should be borne in mind that at this time, owing to the correspondence with the High Commissioner on the questions of the Diamond Fields and the Batlapin territory, a strong feeling existed among the sympathisers with the Free State and the Transvaal at Cape Town. Sir Henry Barkly had become very unpopular with the Dutch press owing to the course he had felt it his duty to pursue on these questions. By openly condemning the High Commissioner as he did at the Cape Town dinner, Mr. Froude had won over the Dutch press there and elsewhere to be unanimous in his favour. He induced them to believe that Lord Carnarvon was solely actuated by a sincere desire to do justice to the Free States, and had no ulterior objects in view. Such a shrewd man as Mr. J. H. Hofmeyer was led to trust him on this point—he took part in the dinner and spoke in favour of Mr. Froude and Lord Carnarvon's policy.

All these dying embers were to be raked up into a possible flame; burning questions were to be brought forward without the slightest cause for their introduction; angry and passionate feelings were to be aroused, where nothing but peace and mutual concord and universal progress had prevailed until Mr. Froude's unhappy advent in the preceding November. His misguided action was raising up again questions settled years before, and which would have

been allowed to drop out of memory altogether but for his mission. All these forces were to be enlisted in this utterly wild and reckless manner, in order to gain support for the immediate consummation of Lord Carnarvon's policy.

Mr. Froude in his report to Lord Carnarvon devoted a considerable space to a defence of his conduct in taking part in the political agitation which he himself was the means of organising. He assumed the position that a Colony with or without responsible government has no external policy; that the ministers of the Colony are responsible to the Colony for the internal affairs, and that the Secretary of State has nothing to do with them, while he is an adviser of the Crown so far as the Colony is part of the Empire and is brought into relation with other parts of the Empire or with Foreign Powers. He admitted that he had desired the Governor as High Commissioner to take up an attitude independent of his responsible advisers,<sup>1</sup> and had urged upon him that in spite of their views he was in a position to set Lord Carnarvon's proposal before the country in its true colours without violating constitutional etiquette.

This view is quite untenable; it is impossible to conceive that by mixing up objects of external policy with those of the most vital internal concern to the Colony, the whole matter may be dealt with by a Secretary of State or the High Commissioner, apart from the views of her Majesty's responsible advisers in the Colony. Of this Mr. Froude was evidently aware, for he says:—

I was conscious that in acting on my own judgment in opposition to the warning of the Governor and to the wishes, if not the injunction of Mr. Molteno, I should be incurring a grave responsibility. I recognised the extreme impropriety of flying in the face of the established government of the Colony.<sup>2</sup>

And he gives a somewhat coloured version of the events following his arrival at Cape Town:—

<sup>1</sup> *I. P.*, C—1899, p. 67.

<sup>2</sup> *Ibid.*, p. 69.

For many days I could not decide what I should do. I saw Mr. Molteno repeatedly. I assured him that your Lordship had desired that the management of the Conference should be in his hands. He might arrange the representation as he pleased; he might impose whatever limits he liked on the subjects to be discussed, provided he did not preclude the question of the quarrel with the Independent States. I repeated that in proposing the Conference your Lordship had conceived that you would be meeting his own wishes, and would expect me to conform to them in the arrangement of the details. Nothing that I could say produced the slightest effect. I had no communication to make, for your despatch was already before the world, disfigured only by the misconstructions which had been placed upon it. I had not the slightest desire to connect myself with the Leaders of the Opposition in Parliament. I had a very great respect for Mr. Molteno's abilities and character. I thought indeed it would be a serious misfortune to the Colony should it lose his services. I had been invited to a public dinner in Cape Town. You gave me no directions how to act in a situation so entirely unanticipated. I decided at last, entirely on my own responsibility, to accept the invitation provided that it had no party character, and that the Ministers and the Governor should be invited also. I was aware that I was running a personal risk, but I knew also that if I were doing wrong I alone was to be blamed, and in the interests of the truth it could be of advantage to no one that a false impression should pass undisturbed.<sup>1</sup> I had a simple story to tell; I told it as plain as I could. What I said was published in the Provincial papers, and the effect was to increase the agitation which had already commenced in condemnation of the Minister's action.

In the same report he admits that it was his intention to proceed to Natal at once, but that events were too strong for him, and that he made a sort of triumphal progress throughout the country as Lord Carnarvon's representative.

I made it a condition on going into the Western Province at all, that no public reception should be given me. The promise which I required was made to me, but it was not observed—perhaps it could not be observed.<sup>2</sup>

And then he describes the triumphal processions which met him everywhere. He was entertained at dinners at

<sup>1</sup> *I. P.*, C—1899, p. 70.

<sup>2</sup> *Ibid.*, p. 78.

which he says he was compelled to speak.<sup>1</sup> As we shall see directly, meetings were organised throughout the country in condemnation of the action of the Ministry, thanking Lord Carnarvon and Mr. Froude for the action which they had taken, and condemning in unmeasured terms the action of the Ministry, while in the East Separation was put forward as the avowed object to be accomplished under the cover of Federation.

Attention has often been drawn by moralists to the great value of local opinion and the respect of neighbours in assisting individuals to follow the paths of right and duty. The results of release from these restraints is frequently seen in distant countries where men have been placed in isolated positions free from every influence of this character, and have in consequence indulged in actions and pursued a course of conduct which they would have regarded with horror had they remained subjected to the environment of more civilised society.<sup>2</sup> An analogous freedom from ordinary restraints of public opinion appears to have influenced the actions of statesmen in their dealings with distant portions of the Empire, where the fierce light of the press and an active public opinion do not exercise a controlling influence over them. Owing partly to this cause, partly to the mere fact of distance which prevents distinctness of conception,<sup>3</sup> and partly to that want of imagination which characterises Englishmen, the strictness of moral obligation, the application of the principles of truth, justice, and right,

<sup>1</sup> The same party which had seized him on landing at Cape Town, now accompanied him on this tour, conspicuous among them, Mr. Barry and Mr. R. W. Murray, the latter reporting his speeches everywhere in his paper, the *Standard and Mail*.

<sup>2</sup> Compare with this 'There ain't no Ten Commandments east of Suez,' of Kipling's 'Tommy Atkins.'

<sup>3</sup> The effect of distance is complained of by Nelson, writing of the rewards conferred after the Battle of the Nile: 'As to both honours it is a proof how much a battle fought near England is prized to one at a distance' (Mahan's *Life of Nelson*, vol. i. p. 363).

to say nothing of the rigid adherence to constitutional usages, have been too often disregarded.

Ignorance of South Africa on the part of public opinion in England was as complete as any statesman actuated by these views could desire. The 'Standard' at this time wrote as follows on the subject :—

South Africa is not often in our minds. A man may pass creditably through life without being able to say how many distinct colonies we have in South Africa, and how they are distinguished from the Free Republics. Indeed, if the majority of Englishmen would confess the truth as to the extent of their notions of South Africa, they would be found to know it chiefly in connection with some indifferent theology, some eccentric philanthropy, and a very bad imitation of sherry.

There was further the lack of imaginative power in the English character. We Englishmen act by rule of thumb in our own affairs, attaching little value to theory. This may operate well enough where the matters to be dealt with are under our own observation and control, but this habit of mind is very fatal to our comprehension of distant countries where our knowledge and opinions must be gathered from and focussed through the medium of other minds. This is at the root of most of our difficulties.<sup>1</sup>

<sup>1</sup> As was well said by Sir George Cornwall Lewis (*Government of Dependencies*): 'The ignorance of the Dominant Country about the position, circumstances, and interests of the Dependency is productive of numerous evils, some of which we shall hereafter consider in detail. It may be here stated in general terms that the Dominant Country, in consequence of this ignorance, often abstains from interfering with the concerns of the Dependency, where this interference would be expedient, and when it does interfere with the concerns of the Dependencies, its interference has not been guided by the requisite knowledge of those concerns, is frequently ill-judged and mischievous' (p. 247 of Mr. Lucas's edition). And again: 'Owing to the general indifference and ignorance of the Dominant Country and the supreme Government respecting the condition of a Dependency, they do not think about its concerns in ordinary times, and under ordinary circumstances. But if on any extraordinary occasion any question affecting a Dependency should happen to excite the attention of the Dominant Country and the supreme Government, it is rarely treated (especially if the form of the supreme Government be popular) with reference to the true interest of the Dependency itself, or even of the Dominant Country as regards the Dependency' (*ibid.* p. 276).



We see this effect displayed in our ill-success in Ireland whose people we have never really understood; to more distant countries, we send out statesmen who study the local questions on the spot, and obtain a grasp of them; then a sudden emergency arises and a difference of view at once becomes manifest between them and those who have remained at home without the advantage of local experience, and whose attention has been devoted to a hundred other questions of current and pressing interest. Events on the spot have moved a long way off from the phase in which they were when the Imperial Representative departed. The press, which must offer an opinion of some kind, merely articulates the panic suggestions of the moment, or worse still, wittingly or unwittingly voices the views of interested partisans who play upon the prevailing ignorance of the public to further their own ends. A divergence thus arises between those at home and the responsible authorities on the spot.<sup>1</sup> In the case of South Africa the result has been that from 1837 to 1880 no less than six Governors have been recalled from the Cape and one from Natal, and the clamour raised in 1896 for the recall of Sir Hercules Robinson will be within the recollection of many.

There was further, in Lord Carnarvon's case, a somewhat jesuitical cast of mind which had been evidenced publicly in the House of Lords, in a dispute with Lord Granville on the Colonies in 1870. Lord Carnarvon complained of the severe logic of Earl Granville, reminding him 'of the French proverb that all the truth is not at all times to be said.' To this Earl Granville replied:—

I have looked once more through these despatches, and I do not find an uncivil phrase in any one of them, and if logic is to be used at all, a little rigour is not, in my opinion, a bad thing. But as last year the noble Earl said that there was nothing the Colonies disliked more than the appearance of indifference, I conclude the best course to pursue in public life is when an appeal is made to any person to give a true reply.

And in this matter of Confederation Lord Carnarvon was to give copious illustrations to this view of telling only half the truth. His first despatch on the Conference put Confederation as a kind of afterthought; Native policy, the sale of arms and ammunition to natives, and the extradition of criminals were put forward as the ostensible objects. In his second despatch of the 15th of July we shall find that he reverses the position and makes Confederation the main question. He withdraws the Conference in his despatch of the 22nd of October, and then says later that he cannot understand how the idea of withdrawal arose. He constantly asserts that he has no desire to interfere with or force a policy on the Cape, yet we shall see the means used through the agency of Mr. Froude, and eventually by Sir Bartle Frere to force his policy at all costs against the Cape Ministers; his intrigues with Mr. Paterson to oust Mr. Molteno were known to all; and his reiterated assurances to the Free State and Transvaal that he had no desire to interfere with their independence were to receive a sinister commentary.

Mr. Froude, in his conduct of the agitation, shows that he had imbibed these principles of half-truth to the full—indeed at Grahamstown and Port Elizabeth he confessed publicly that he had ‘invented reasons, not altogether true ones.’ Mr. Molteno on the other hand followed Lord Granville’s view, that truth was the politest form of address, and we are not surprised to find that he was also violently attacked by Lord Carnarvon’s supporters and friends, headed by Mr. Froude, on the very grounds that Lord Carnarvon had attacked Earl Granville—namely, that his despatches were too true to be polite.

Lord Carnarvon, while interfering in the grossest manner with the internal concerns of the Cape Colony, was constantly giving the assurance that he had no desire to interfere with matters properly dealt with by the Colonial Ministers. It was as if, while you were dexterously and in

face of day being deprived of your watch and chain you were assured by the robber, that he had no desire or intention of interfering with the rightful ownership of your property. Lord Carnarvon was so lacking in imaginative power that he did not realise in the smallest degree what the effect of his actions would be on the Cape Colony, and the explanation there given of his conduct at the time was that he had not read his despatch of the 4th of May, but had simply signed what Mr. Froude had placed before him. His own words spoken in the case of Canada condemn him :—

If responsible government means anything it means this : that you not only give to the Colony free institutions and enable the inhabitants to elect their own Parliament, but you also undertake in matters of Colonial policy to deal only with that Colony through the legally constituted authorities. Any other view of the case would lead us to endless difficulties.<sup>1</sup>

There was now to be observed in South Africa an extraordinary and unprecedented spectacle arising from the fact that her Majesty's Minister in England had sent out and was consenting to the action of an emissary who was 'stumping' the country with a view to upsetting her Majesty's Ministers in the Cape Colony. Mr. Froude himself admitted this ; he said at Port Elizabeth :—

It would be impossible as a general rule for any statesman deserving the name, to carry on a system of responsible government if emissaries from home were to be allowed to come here when any great question was agitating the public mind and take part in the opposition to the ministry of the day.

But he held himself absolved and 'no longer tied by the forms of constitutional etiquette.'

Mr. Molteno was surely justified when he said he could

<sup>1</sup> If Lord Carnarvon had intended to illustrate the truth of this by giving an example of the evil effects of neglecting it, he could not have devised, had it been his main purpose so to do, a more excellent instance of the confusion which would result than is to be seen in what follows.

not believe that English statesmen would approve such proceedings if they were made fully aware of them ; he had yet to learn, by Lord Carnarvon's treatment of him, in bitterness and sorrow, what the Honourable Joseph Howe,<sup>1</sup> a leading statesman of the British North American Provinces, and one of their ablest politicians, said in 1868, when he found that the Colony of Nova Scotia had been deceived by British Ministers :—

I used to believe that in a case involving vested interests, constitutional right, and great sums of money, British statesmen and legislators would do justice though the heavens should fall. With deep sorrow, and a sense of humiliation not easily described, I now am compelled to acknowledge that I have cherished a delusion.

Mr. Molteno held the view, which he believed to be a correct and constitutional one, that responsible government was the machinery erected and devised by the Empire for dealing with that part of it comprised in that district to which responsible government had been granted ; that it was not a separate and external organisation, but a specialised part of the machinery of the whole Empire.

Lord Carnarvon had thought it worth while to write a letter to Mr. Molteno to enlist his support in his policy of Federation, but the letter had arrived long after the despatch, and even after Mr. Froude had been some time in the country ; though the receipt of it at an earlier date would have made no difference in Mr. Molteno's views or action :—

(*Private.*)

Colonial Office : May 21, 1875.

MY DEAR SIR,—I do not like my despatch proposing a conference on South African questions, and expressing my hope that you will serve on it to go without a few lines from myself to say

<sup>1</sup> Howe was a remarkable man. Like his friend Haliburton he was a Nova Scotian. Parkin says : ' Joseph Howe with extraordinary prescience anticipated by forty years nearly all that statesmen and thinkers are now saying about the unity of the Empire, and advocated it with a warmth of eloquence and power of statement as yet absolutely unmatched.'—*The Great Dominion*, p. 109. For some account of Howe's action, see *Letters of Lord Blackford*, pp. 300–308.

how much I trust that I shall have your co-operation in a matter in which I believe the interests of all parties concerned are so much involved. Whether the larger objects which I have indicated as in my opinion desirable can be achieved at present, must of course depend upon many considerations ; but I am satisfied that nothing but good can come of a better and a more friendly understanding with our Dutch neighbours, and from the discussion of some of the questions which I am sanguine enough to believe may be solved in a satisfactory manner. There ought to be every cordiality in such matters between you at the Cape and us in England, and perhaps the first step towards securing this is to feel assured that in our personal relations we can entirely count upon the course which each will pursue. Though I have not the pleasure of an individual acquaintance, yet I am confident from all that I know that I can feel this in your case, and I hope that you will never feel any doubt in your dealings with me.

Believe me, my dear Sir,

Yours very faithfully,

(*Private.*)

CARNARVON.

Hon. J. C. Molteno.

Colonial Secretary's Office, Cape Town : June 26, 1875.

MY DEAR SIR,—I have had the honour to receive by last mail your note of the 21st ult. referring to your Lordship's despatch of the 4th of May (which reached the Colony three weeks sooner), on the subject of a proposed conference for the discussion and consideration of South African questions.

I regret most deeply that my colleagues and myself are unable to see our way clear to co-operate with your Lordship in this important movement.

Whilst entirely concurring in the opinion that nothing but good can result from a better understanding with our Dutch neighbours, and fully agreeing that there ought to be every cordiality in such matters between you in England and us here, I hope I may be excused if I venture to give expression to the serious misgivings which I entertain as to the policy of such an important step having been taken without some preliminary understanding either by private correspondence or by consultation with Mr. Froude.

The public action which has been taken, and which I have reason to apprehend was somewhat precipitate, will, it is to be feared, rather tend to retard than to promote the accomplishment of the objects in view.

Mr. Froude will no doubt have fully informed your Lordship of

en place. It is therefore unnecessary to trouble you with or to do more than to assure your Lordship that I give me more pleasure or satisfaction than to be able to work with you in measures calculated to bring about the results which you seek to attain. Understanding our being at issue as to the policy of the Colony in this instance, I am perfectly confident that you are actuated by a sincere desire to promote the general welfare of South Africa, and that you heartily sympathise in all that tends to the welfare of the people of this Colony.

Believe me, my dear sir,

Yours very faithfully,

J. C. MOLTENO.

the Earl of Carnarvon, K.G., &c. &c.

It is now see in detail what Mr. Froude's action was, and it will be necessary to go somewhat fully into detail, to the results which have followed from it. On the occasion of his former visit to South Africa, he issued that policy of 'all things to all men' which he now to elaborate still further. He was entertained at dinners in various centres with a view to giving him opportunity of speaking, and he then disclaimed any official connection with the Home Government—an untrue disclaimer, for he had come out by arrangement with Lord Carnarvon, as he himself tells us in his letter.<sup>1</sup> Now he occupies a public position as the representative-designate of Great Britain, the paramount power in South Africa, and his words are naturally attached to his words a great importance.

At Kimberley on the occasion of his previous visit he had tentatively introduced the subject of Confederation, and said that on the one hand when looking to such nations as England, Germany, or America he was inclined to advocate Federation, yet on the other hand on looking at Greece and the Italian Republics, he looked to a separate Government for each Province, thus playing up to the desire for complete independence of the Cape Colony which then existed at

<sup>1</sup> See p. 338.

with fairly, and that as he is to be the Imperial representative in the proposed South African Conference, we have in that fact the root and reason of this opposition to Earl Carnarvon's despatch.

It is interesting to observe the position which Mr. Froude now took up in regard to Mr. Molteno. He had himself complained and his supporters had emphasised his complaint, that Mr. Molteno had desired to 'gag' him. Nevertheless he had found him too powerful to be ignored, and had flattered him personally while deferring to his views in smoothing down the East and West portion of the despatch; and he was at this stage particularly careful to disclaim any intention of going against the Ministry or Parliament.

The effects of the despatch and of Mr. Froude's action, already prognosticated by those who knew the country and had its best interests at heart, and who spoke with a full sense of official responsibility, began to be manifested without delay. When the despatch was published, and before any sinister influence had had an opportunity of operating, it was condemned by the press of Port Elizabeth; but now, under Mr. Froude's auspices, a violent agitation was set on foot for separation of the East from the West, and for the condemnation of the actions of the Parliament and the Ministry. The intriguing and wire-pulling was commenced in earnest with the aid of Messrs. Barry, R. W. Murray, and Paterson.

The Port Elizabeth and Grahamstown papers were fired with a wild chimera of seeing the Colony represented in the prospective Conference by Mr. Molteno for the West and Mr. Paterson for the East, and began to clamour afresh for Separation. Confederation was now put forward as a means towards securing the severance of the Colony and the establishment of a separate Government somewhere in the Eastern districts.

The Native policy, which was deemed on all hands to be so perfect that Sir Garnet Wolseley was directed by Lord

Carnarvon to shape his administration in Natal on the model of it, was now to be modified and assimilated to the more crude and necessarily more drastic systems of the Free State and the Transvaal, with which Mr. Froude, in his London speech, had expressed himself so enamoured.

And further, as evidenced by the position taken up by the Republican sympathisers in the political dinner to Mr. Froude, the patriotic feelings of the old Dutch Colonists were appealed to as against the tyranny which it was alleged had been practised towards their fellow-countrymen across the Orange and the Vaal. It should be borne in mind that at this time, owing to the correspondence with the High Commissioner on the questions of the Diamond Fields and the Batlapin territory, a strong feeling existed among the sympathisers with the Free State and the Transvaal at Cape Town. Sir Henry Barkly had become very unpopular with the Dutch press owing to the course he had felt it his duty to pursue on these questions. By openly condemning the High Commissioner as he did at the Cape Town dinner, Mr. Froude had won over the Dutch press there and elsewhere to be unanimous in his favour. He induced them to believe that Lord Carnarvon was solely actuated by a sincere desire to do justice to the Free States, and had no ulterior objects in view. Such a shrewd man as Mr. J. H. Hofmeyer was led to trust him on this point—he took part in the dinner and spoke in favour of Mr. Froude and Lord Carnarvon's policy.

All these dying embers were to be raked up into a possible flame; burning questions were to be brought forward without the slightest cause for their introduction; angry and passionate feelings were to be aroused, where nothing but peace and mutual concord and universal progress had prevailed until Mr. Froude's unhappy advent in the preceding November. His misguided action was raising up again questions settled years before, and which would have



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pathy and closely connected by family ties with the people of the two Dutch Republics. Here he declared that what Lord Carnarvon and England desired was quite the reverse of consolidation ; instead of constitutional coalescence of its various parts, it was a disintegration of the Empire. He informed his audience that Great Britain was content to abandon its sovereignty of South Africa as a vast land and a rising nationality on three conditions—one, that the native policy should be guaranteed to be such as not to excite the sympathies of well-meaning but not very well-informed people in England ; two, that in the event of a European war the resources of the Colony would be placed at the service of England and not at the service of her enemies ; and, three, that England should be allowed to retain her naval station at Simon's Bay. In order that we may not misrepresent him, we give his very words :—

Let me tell you, gentlemen, what Lord Carnarvon desires from this country. He recognises, and we all recognise, that the European inhabitants of South Africa are growing up into a great nation. It is so ; it must be so. You have only to look at the map of the globe to see what a splendid position you occupy ; your resources are enormous ; you have in you the vigour and energy of the races from which you have sprung. Nothing can stop you ; grow you must, and grow into a powerful people. Then what is to be our position towards you. If you are to grow, you must grow your way and not ours. English statesmen therefore wish to leave you to yourselves, to leave you the full management of your own internal affairs, while we confine ourselves to the protection of your coasts. We protect you with our fleet and our flag, and we ask nothing in return but the Imperial station at Simon's Bay, and the assurance that if we are ever again at war, the resources of this country will be at the service of England and not of our enemies.

When we read these various speeches we can only describe their effect in his own words : 'The clue leaves us, and there is only a kind of wild indistinctness dancing about.'

Let us remember that this is the man who tells the country that he is Lord Carnarvon's representative, and

knows his inner mind! He represents the Queen and England! Lord Carnarvon had chosen him, as the most distinguished man he could find, to convey a personal message to the people of South Africa! And this is the action of which Lord Carnarvon afterwards specifically approved in his despatch of June 26, 1876,<sup>1</sup> in answer to the complaint of the Cape Ministry as to Mr. Froude's action! Was not this the man who had publicly censured the High Commissioner for maintaining, as he had done, British interests against the two Republics? Was this Lord Carnarvon's real view? and if it was not, why was it said? Has any Secretary of State repudiated these views?

From Worcester he made a sort of triumphal procession throughout the districts of the west, the managers and companions of his tour being the bitterest political opponents of the Ministry. Mr. Froude was accompanied on his tour in the west by the editor of the 'Volksblad,' who was also proprietor of the 'Standard and Mail,' the two Cape papers which had most strenuously advocated the cause of the Transvaal against the Imperial officers. At Worcester Mr. Froude sat at the right of the Chairman, and Mr. Charles Barry, who figured conspicuously at the Cape Town demonstration, sat at his left. At Swellendam the gentleman put in the most prominent position in getting up the local demonstration was the chairman at the Cape Town dinner.

He tells us himself that it was intimated to him that the corporations of the different towns desired to give him a public reception:—

I made it a condition on going into the western province at all that they should do nothing of the kind. The conference having been rejected, the peculiarity of my position made me particularly desirous to escape notoriety, the promise which I required was given, *but it was not observed, perhaps it could not be observed.* The feelings of the people had been excited by your Lordship's speech in the House of Lords, and by the passages in the despatch

<sup>1</sup> I. P., C—1399, p. 87.

which referred to Griqualand, and they could not be repressed. Remote settlers who had never before appeared to take an interest in politics were stirred into violent exertion. Deputations waited upon me wherever I went with words of welcome; groups of farmers, with their clergyman at their head, waited at cross-roads to speak to me, and hear me speak to them. I was followed into the towns by strings of carts and carriages half a mile long. The same scenes repeated themselves at Stellenbosch and the Paarl, at Malmesbury and Wellington, at Worcester, at Swellendam, at Riversdale and Mossel Bay.

I was entertained at dinners, and I was compelled to speak. Everywhere I inquired the cause of so much excitement; everywhere I received the same answer, that for the first time since 1806 an English minister had shown a disposition to do justice to the Dutch.<sup>1</sup>

He thus played what we may term the 'nationality card.' The patriotic Afrikaner was enlisted to his support. Lord Carnarvon's great and only object, according to this chapter of the agitation, was to do justice to the Dutch and their friends.

When Mr. Froude appeared among the colonists of Dutch descent as their particular advocate and friend and the admirer of their compatriots across the Vaal, it was natural and gratifying that he should have been welcomed with the most sympathetic acclaim: but it was hardly proper, to say the least, that he should have acted so conspicuous a rôle of partisan display in his capacity as a special Commissioner from her Majesty's Government, just at the very time when Sir Henry Barkly, her Majesty's High Commissioner, was *en route* to consult with the Lieutenant-Governor of Griqualand West on the difficulties which had arisen in regard to that territory. Thus we find Mr. Froude on the one side, as the expositor of the Queen's opinion, 'stumping' and agitating the country, and on the other hand we find her Majesty's constitutional authorities (Sir Henry Barkly, Mr. Southey, Mr. Molteno and others)

<sup>1</sup> *I. P.*, C—1399, p. 73.

engaged in an entirely opposite spirit and direction. And further, while Mr. Froude was putting forward this sentimental union of South Africa, the two Republics were giving unmistakable signs that they were as much opposed to Confederation now as were the legislature and Government of the Cape Colony.

The next journey was to Natal, where we have another example of his extraordinary inconsistency. At a banquet given to him there (banquets were offered to him everywhere), he said : ' Cape Colony has obtained self-government, and, so far as the Cape interests are concerned, the experiment is working satisfactorily.' In various other speeches, as we have seen, he referred to the fact of self-government having increased the loyalty and good feeling between the mother country and the colonies ; yet he felt himself able to say with regard to Sir Garnet Wolseley, who was about to leave Natal : ' I believe that this short period of his government will be the dawn of the brightest day which has yet risen in Natal.' It will be remembered that Sir Garnet Wolseley, by his ' champagne and sherry policy,' had just succeeded in effecting such a revolution in the constitution of Natal as had never been attempted in any British colony since the days preceding the revolt of the American colonies, unless it were in Jamaica ! He further declared here that the grand object of the Conference was the advancement and prosperity of the republican states and Natal, which by railways constructed under Imperial patronage would centre their trade upon Durban, and thereby enrich the port at which he spoke. He informed his audience that when Lord Carnarvon gave his instructions to hold a conference at Maritzburg on the refusal of the Cape to join, he was not fully aware of the unanimity with which he had been supported by the Cape Colony.

I cannot proceed, in fairness to them, without a last appeal to the Cape Government ; both provinces have spoken out so clearly



and so nobly that I should be ungrateful if I did not remember it. A Northern Union, such as I have described, could not fail to be prejudicial to Port Elizabeth. I go back, therefore, for a last answer; if I am refused as before, I shall then return hither as soon as possible, and it shall go on without further delay.<sup>1</sup>

This is the man who said, 'I am nothing but myself while I remain here,' while he actually takes upon himself to suspend the definite instructions of Lord Carnarvon! He now returned to the Cape Colony for this further appeal, accompanying Sir Garnet Wolseley as far as Port Elizabeth.

The abortive threat to leave the Cape out of a Federation, which had been made in Lord Carnarvon's despatch of the 15th of July, Mr. Froude had taken the opportunity of re-enforcing in a letter written from Maritzburg to Mr. Molteno.

August 20.

MY DEAR MR. MOLTENEO,—You will by this time have seen Lord Carnarvon's despatch of the 15th of July. He directs, as I anticipated, the assemblage of the conference at Maritzburg. After the expression of so decided an opinion from so many parts of the Cape Colony, that if a conference meets the Colony should not be unrepresented, I shall take on myself the responsibility of suspending further action till I have seen you again. You were not encouraging when we had our last conversation, and I left you 'grieving,' like Ephesians, 'that I might see your face no more.' The interests at stake, however, are so serious, and the consequences to the Cape Colony of a possible formation of a northern confederation, with Natal and Delagoa Bay for ports, and railways from both of these penetrating the Free States, would be so inevitably injurious that I have determined to make one more effort, and I shall return to Cape Town with Sir Garnet Wolseley.

Faithfully yours,  
J. A. FROUDE.

<sup>1</sup> This was a mere threat, and of course never carried out. The *Standard* ridiculed the idea of the Eastern Federation being called into existence to ruin the Cape Colony. It was ludicrous to suppose that he could frighten the Cape by a proposal to federate the Free States, Natal, and Griqualand West, and to build railways with Imperial guarantees, so as to ruin the trade of England's principal colony in South Africa, the Cape Colony, and it was incredible that the British Government would assist in forcing the trade of internal South Africa through Delagoa Bay and even Durban to punish the Cape.

This threat was powerless to affect Mr. Molteno's firm resolution. Upon finding that it was regarded by Mr. Molteno as mere *brutum fulmen*, Mr. Froude and his wirepullers now conceived that they had sufficiently roused the country, and that it would be possible to secure a hostile vote in Parliament which would effectively remove the obstruction caused by Mr. Molteno's hostility by removing him from power. Up to that period Mr. Froude had not himself directly attacked Mr. Molteno, his Ministry or Parliament; he had allowed other speakers at his meetings to do so, and his own acts had been confined to condemning Imperial officers, from the High Commissioner downwards. By implication only had he censured the local authorities. He now threw off all reserve, and mistaking the noisy agitation raised by a few wirepullers for the voice of the country, assailed all who opposed his policy in unmeasured terms. It was arranged that meetings should now be held, which would urge the summoning of a special session of Parliament to deal with the question and dispose of Mr. Molteno.

When party feeling has been running high within a few years it is always easy to revive an agitation. The basis upon which an agitation could best be raised against the Ministry in the east was the Separation question, which in this part of the Colony was the cry to enlist supporters. The Governor and Mr. Molteno had themselves told Mr. Froude this on his arrival, and he had then said nothing was further from Lord Carnarvon's wishes, and that he had no intention of encouraging or permitting such a policy. This statement of Mr. Froude had been referred to by Mr. Sprigg in a speech which he had made at East London supporting the action of the Ministry and of Parliament. It would have been fatal to Mr. Froude's present purpose to have this statement of his circulated, for it would at once kill the separation idea. Mr. Froude therefore wrote to the papers,

repudiating the statement attributed to him, and at the same time the following correspondence took place between himself and Mr. Molteno :—

Durban : August 29.

MY DEAR MR. MOLTENO,—Since I wrote to you a few days ago I have read with some surprise a paragraph in a speech lately delivered by Mr. Sprigg ; and as his words seem to rest on your authority, and as, if uncontradicted, they may occasion a misunderstanding, I think it better to refer in the first instance to yourself and ask you to be so good as to set him and the public right. Mr. Sprigg says you told him twice that it was useless for Grahamstown and Port Elizabeth to expect a separation of the provinces, for that you knew from me that the Imperial Government would not allow it. I must have expressed myself with great obscurity, or you must have misapprehended my meaning. I certainly said ‘that I did not believe Lord Carnarvon, in naming a representative for the eastern province, had contemplated an encouragement of the separation policy.’ Lord Carnarvon’s object in the despatch was not separation, but union. His Lordship, however, had never spoken to me on the subject, and I really did not know what his views might be. The question, it appeared to me, was one for the Colony itself to decide, and in the face of a majority in the Cape Parliament in favour of keeping the provinces united, I could not conceive that any party in England would dream of interfering to divide them.

I remember subsequently when I had the pleasure of meeting you at the Chief Justice’s, you expressed a regret that I had not said something in my speech at the dinner to discourage the separation agitation. I then answered that it appeared to me to be a question of internal Cape politics on which it would be highly improper for me to express an opinion. I feel this ; still I have endeavoured as far as possible to comply with your wishes and remain silent on this and every other matter on which I have been pressed to speak in public. I purposely abstained from going to Grahamstown, where I should have been obliged to attend a public meeting, and where I could hardly have avoided trespassing on ground which you would have wished me to avoid. I feel it rather hard on me, therefore, that opinions and statements of mine, the purport of which has been so completely mistaken, should be circulated in the Colony, while I am myself debarred from contradicting them. I feel it the more because in his despatch of the 15th of July Lord Carnarvon has spoken for himself on the subject, and these assertions which Mr. Sprigg ha

placed in my mouth are inconsistent with Lord Carnarvon's words.

I am sorry to hear from Sir Henry Bulwer that on the conference your opinion remains where it was when I left you, and that it will be useless for me to make a further application to you for assistance. Under these circumstances I will not worry you by an unpalatable and unprofitable perseverance ; I shall accompany Sir Garnet Wolseley no further than Port Elizabeth, and if I find that there is really no chance of the Colony permitting itself to be represented, I shall return to Maritzburg and arrange such minor matters as we may agree upon among ourselves with the two Free States and Griqualand.

I remain, dear Mr. Molteno,  
Faithfully yours,  
J. A. FROUDE.

September 14, 1875.

MY DEAR MR. FROUDE,—I wrote you briefly a few days ago, acknowledging receipt of your letters dated the 20th and 29th of August, and promising a fuller reply to the letter with reference to Mr. Sprigg's speech. Since writing as above I find that a letter signed by yourself has been published in the 'Eastern Star,' and copied into nearly every other Colonial newspaper, in which you meet Mr. Sprigg's statement with a distinct denial, and this notwithstanding you wrote in your letter of the 29th of August : 'I think it better to refer in the first instance to yourself, to ask you to be good enough to set him (Mr. Sprigg) and the public right.' Under these circumstances it appears to me to be unnecessary to go further into the question, more especially as I am afraid if I do so that, whilst I cannot entirely endorse what Mr. Sprigg has stated, I should be obliged to admit that my recollection as to what passed on more than one occasion between you and myself relative to this question by no means agrees with yours.

Considering the line of action that you have taken up since your return to the Colony, you will, I am sure, agree with me in thinking that no good would be likely to result from any discussion between us on political matters.

I remain, dear Mr. Froude,  
Yours truly,  
J. C. MOLTENO.

Port Elizabeth : September 24.

MY DEAR MR. MOLTENO,—I have received your letter of the 14th, and I gather from it that Mr. Sprigg's statement is so far

true that you did give him some authority for the assertion which he made.

I say frankly that after you had enjoined silence upon me, I do not think it was fair to me on your part to communicate to others the substance (or what appeared to you to be the substance) of confidential conversations between ourselves. If, however, you thought yourself at liberty—while leaving me bound—to make use of those conversations, I am sure you will admit that you ought to have confined yourself to the literal words, the *ipsissima verba*, which fell from me, especially on a most sensitive point of purely Colonial politics. Had you done so, I am satisfied that no words of mine could have conveyed to Mr. Sprigg the meaning, or anything approaching the meaning, which he attached to them. You seem, however, to desire that the matter should be allowed to rest where it stands, and I have no objection.

With regard to the rest of your letter, I regret the resolution at which you have arrived, but I cannot attempt to move you from it. Sir Henry Bulwer's report of what you said to him left me with an impression that it was almost useless to address myself to you any further on the subject of the conference. Such hope as remained was finally destroyed by a telegraphic communication from Sir Garnet Wolseley. Although, however, our intercourse on political questions is unhappily at an end, differences on these points need not, I trust, affect an acquaintance which I was proud to have formed. I return to the Cape by the first steamer, and I trust I may have the pleasure and privilege of again meeting you. The Governor writes to me that he is on the point of leaving the Diamond Fields. Him too I hope to find when I arrive. It must be a satisfaction to him to be released at last from immediate connection with that most unfortunate community.

Believe me, dear Mr. Molteno,

Faithfully yours,

J. A. FROUDE.

October 2nd, 1875.

MY DEAR MR. FROUDE,—I have no wish to prolong the correspondence on the subjects treated in your letter of the 24th ult. But there are assertions in it which I cannot allow to pass unchallenged.

I maintain that nothing transpired between us which can fairly be taken to have enjoined silence upon you in the sense in which you put it.

In June last you informed me that you were 'in a dilemma

between two duties ; that in the ambiguous position which you held it would be *improper for you to do anything which could bear an unconstitutional semblance*,' and you asked me 'to define for your future guidance what I considered ought to be the limits of your constitutional freedom while you remained in this Colony.' Thus appealed to by you, I candidly and honestly gave you my *opinion* 'that any explanation which in your position you might wish to make to the people of this Colony as to the purport of Lord Carnarvon's despatch should not, from a constitutional point of view apart from other reasons, be made otherwise than through the Colonial Government, and I intimated to you at the same time that, beyond expressing this opinion, it was certainly not my wish to interfere with or fetter your freedom of action.'

You were at liberty to take this *opinion* for what it was worth ; or do as you have done—disregard it altogether. Your plea for having done this passes my understanding.

You have endeavoured to place what passed on the separation question in such a light as to excuse the course which you have chosen to follow.

Permit me to remind you that you openly, *not confidentially*, expressed your great regret to me that Lord Carnarvon's despatch on that subject had been entirely misunderstood, and that you unreservedly declared your great disappointment and annoyance that a misconstruction had been placed upon it whereby the question of separation was likely to be reopened and agitated, adding that Lord Carnarvon never entertained the least idea of countenancing a separation movement.

So far from treating this subject confidentially, you evinced the greatest anxiety for an opportunity to express the above sentiments publicly, and to correct false impressions regarding separation.

You seemed pleased indeed that the dinner then in contemplation would afford you the desired opportunity for setting the matter right.

In the face of all this I hope I may be excused if I fail to see how there could have been a breach of confidence in mentioning to Mr. Sprigg or to anyone else what you were so anxious to make publicly known.

In conclusion, I beg to assure you that political differences are not, so far as I am concerned, permitted to stand in the way of friendly social intercourse, and that I hope to meet you on your return to Cape Town.

Believe me, dear Mr. Froude,

Yours very truly,

J. C. MOLTENO.

The Castle [Cape Town]: October 4th.

MY DEAR MR. MOLTEÑO,—Your note of the 2nd instant has just reached me. Your recollection of what passed between us relating to Lord Carnarvon's despatch agrees, as you now give it, very nearly with my own. But the expressions which you yourself attribute to me differ so widely from the language placed in my mouth by Mr. Sprigg that I am astonished at your conceiving that your present version can be any justification for Mr. Sprigg's words. It is quite true that I said to you that I did not believe that in naming a representative for the Eastern Province Lord Carnarvon intended to countenance the policy of separation; I told you that I regretted exceedingly that such an impression should have been created. But this was not to say that the Imperial Government would under no circumstances allow a separation of the Provinces. I went as far as I felt I was allowed to go, and further than perhaps I was entitled to go, in my speech at the Cape Town dinner, when I said that Mr. Paterson had been named only as Leader of the Opposition; and when I had the pleasure of meeting you at the Chief Justice's house, and you expressed your regret that I had not taken a stronger position, I replied that the separation of the Provinces was a question of internal Colonial politics on which it would be improper for me to express an opinion.

I said the same subsequently in a private meeting to the merchants of Port Elizabeth on the occasion of my first visit there. I had my own thoughts upon the subject, but I adhered most scrupulously to the spirit of the promises which I had given to you to abstain from saying anything anywhere which could embarrass the Ministry. I was surprised and hurt, therefore, at discovering that Mr. Sprigg had set in circulation on your authority a positive statement which I had never made and was not entitled to make, and which as long as it was uncontradicted would expose me to the just displeasure of the Imperial Government. I felt myself bound to deny it without a moment's delay. I attributed the mistake to Mr. Sprigg; I supposed it impossible that you could have misled him, and I sent a contradiction to the papers without mentioning your name. I wrote to yourself at the same time drawing your attention to Mr. Sprigg's speech, in the confident expectation also that you would repudiate the use which he had made of your authority. It was only when I found that I had failed to draw from you the public and immediate denial which I felt that I had a right to look for, that I withdrew the promise which I had given to remain silent myself.

Having vindicated myself, however, to the Eastern Province, I have no intention of continuing what has been absurdly called

an agitation. I shall quietly await the resolution at which the approaching Parliament will arrive, and unless you yourself shall desire to have any further conversation with me, you will hear no more of me in public or private.

I detest agitation and excitement. I regret more than I can tell you the interruption which has been caused in the pleasant relations which once existed between us, and I can but thank you for the kind expression with which your letter concludes.

Believe me, my dear Mr. Molteno,

Faithfully yours,

J. A. FROUDE.

It was now arranged with Sir Garnet Wolseley that he should see Mr. Molteno and ascertain the effect upon him of the agitation which had followed Mr. Froude's speeches and movements; and if the answer were unfavourable, Mr. Froude was to commence a fresh agitation of a much more violent character. Mr. Molteno writes to the Governor :

Cape Town : September 9th, 1875.

I have had a very long interview with Sir Garnet Wolseley. The chief topic discussed was the Conference. . . . Mr. Froude has not come here ; he writes me from Natal, 29th of August, that in consequence of what Sir Henry Bulwer told him as to my views being unchanged, he thinks further talk with me useless, but he has gone to Port Elizabeth, and will, I hear, with Paterson's aid, commence a fresh agitation for the purpose of bringing pressure upon your Excellency in the direction of a meeting or dissolution of Parliament.

Sir Garnet held out no hopes after seeing Mr. Molteno, and Mr. Froude now abandoned all reserve and personally attacked Mr. Molteno. At Port Elizabeth he took up the separation card. He began by apologising for not having spoken there on his way to Natal. He appeared to have some misgivings as to the course he was adopting.

When I landed at Cape Town three months ago, I was informed, almost immediately, that in my position it would be improper for me to take part in any public meeting at all in this country, or in any way to address the people except in the proper



manner through the responsible Ministry. Well, little as I liked it, I considered that under the circumstances it was a very proper doctrine. Indeed, it would be impossible as a general rule for any statesman deserving the name to carry on a system of responsible government if emissaries from home were to be allowed to come here when any great question was agitating the public mind, and to take part in the opposition to the established Ministry of the day. I considered that the course of action prescribed for me was perfectly reasonable, and I have endeavoured to the best of my ability since I have come into this Colony, even in very responsible and difficult circumstances, to conform to Mr. Molteno's wishes in this matter.

I felt it necessary, however, to speak once, because I could not allow the perverse misrepresentations with which Lord Carnarvon's despatch had been disfigured to go uncontradicted. I endeavoured most scrupulously not to embarrass the Ministry. When I visited this place a few weeks ago, I believe, in your kindness, you had intended honouring me, but I declined for the reasons I have stated. I also refused to go to Grahamstown and other places.

Then follows this extraordinary confession of the disingenuous conduct which he permitted to himself :—

*I invented reasons, I must say not altogether true ones on all occasions, to explain why I could not visit and speak at various places, because I did not wish to put upon the Ministry the odium of keeping me silent. . . .*

Well, they might ask me why I now take a different line—why am I here to-night? Well, I can only say that my excuse for it is that the circumstances are exceptional, for I consider my mission to be not to any particular party in the Colony, but to the whole Colony and people. I regard the people in this Colony as the real source of power. I am now placed in such circumstances that I am compelled to take action in a matter in which the Cape Colonists are deeply interested. Therefore I feel it would be ungenerous—it would be improper almost for me to be tongue-tied any longer by the forms of constitutional etiquette. I am compelled to appeal to the people of this Colony to answer the question I am compelled to put to them. If I am doing wrong, the people of this Colony are fellow wrong-doers with me. . . . I hold in my hand eighteen or twenty resolutions from great constituencies, and a great many more have gone home, and if I am wrong-doing I believe these very constituencies represent a majority in Parliament, and if I am to be impeached for what I

am doing, I must ask my friend Mr. Paterson to help to carry an Act of Indemnity for me.

Thus he believed that he had a majority in Parliament, and that therefore what he had several times confessed to be higher improper, and would be disapproved of by Lord Carnarvon, he was justified now in doing. He had admitted it was improper to go against the Ministry, yet now Mr. Paterson, with whom he had been intriguing, would work his majority in Parliament to indemnify him for his wrong action.

He repeated here what he had said at Cape Town, that the object of Lord Carnarvon's despatch was

nothing else than an invitation to the other parts of South Africa to adopt the same principles of self-government that had been carried out in this particular Colony with great success. . . . and it appeared, as far as the Colonial Office was concerned, that there was no particular embarrassment here.

But beyond the confines of this Colony, where the British had found it necessary to have some direct interference, all was in confusion.

He sneered at the native policy of the Cape Ministry, which had been admitted by all (including Lord Carnarvon himself) to be most successful; he attacked the Ministry, and said that the minute attached to Lord Carnarvon's despatch by the Ministry was ill advised and not courteous to Earl Carnarvon.

As regards the present position of the Conference, the Cape Colony is at present out of court so far as the Ministry and the Parliament can speak for it. It was a hasty resolution pushed through the House in twenty-four hours, but I am bound to respect it. The remaining states have not refused, therefore it is my business to proceed to hold the Conference of those states who elect to be represented to take place at Maritzburg, Natal. I am permitted, however, to exercise a little discretion, and I should prefer to see this Colony, which is the most important place interested, taking a leading part in the Conference. I will suspend the Conference for a few weeks, until I can ascertain what are really the wishes of the people of this Colony.

He was, however, not desirous of injuring his friends in any way. Lord Carnarvon, he told them, had foreseen that it was possible that some one state might not be represented, and had promised that its interests should not receive any injury by its absence so far as it was possible to prevent it, *'If it came to that, they might depend upon it he himself would remember that injunction of Lord Carnarvon's.'*

The character of the meeting was plainly shown by the remarks of some of the speakers. One of them referred to the 'Cape Town Governor' as if Sir Henry Barkly were not the Governor of the whole Colony, and further condemned the Ministry and the Ministerial policy as that of 'Cape Town'—the old separation phraseology. The report of the meeting in the 'Eastern Province Herald' is as follows: 'The Conference—Monster Meeting—Unanimous Support of Earl Carnarvon's Despatch—the Ministry denounced—Enthusiastic Reception of Mr. Froude—the Conference to be held under any circumstances—the objections of Messrs. Sprigg and Co. ridiculed—the Molteno Gag.' Was it compatible with the position of the representative of the Imperial Government to attend a meeting of this character? Would it not have given pause to any man whose head was not completely turned? Doubtless this was one of the newspapers which reached Lord Carnarvon, and to which he referred in his despatch of October 22, and from which he received some consolation when he could get no encouragement from any authority who spoke under a sense of duty and responsibility.

Mr. Froude's mind, as he had himself confessed, had been formed in the unexhilarating atmosphere of the library rather than in that of practical life, and we see the defects of such a training brought into painful prominence by the circumstances in which he now found himself.<sup>1</sup> The glow and

<sup>1</sup> Sismondi has drawn attention to the result of a sudden accession of power and prominence on the character of Rienzi. 'Dans ce court espace

glamour of his triumphant progress had upset his mental balance. He attributed to his own eloquence, and to enthusiasm for the cause he was sent to forward, the excitement which was in reality due to heated party feeling on the Separation question, to the new life given by his action to the old cry of East and West, and to the deference and respect which was ever ungrudgingly given in the Colonies to a representative of the Home Government and a distinguished man of letters.

He was shortly to speak in the name of Lord Carnarvon and of England itself. Of what account was the High Commissioner, the local authorities, and the whole system of government, long and painfully elaborated by years of trial, in face of the direct communion between England personified in Mr. Froude and the people of the Colony as represented by those noisy meetings? Had he not condemned all the Imperial authorities in succession?—and now it was the turn of the Premier and Parliament.<sup>1</sup>

Mr. Froude professed in this speech, as always, the greatest respect for Mr. Molteno and confidence in his *bona-fides*. 'I have seen enough of Mr. Molteno, and think too highly of his real judgment, real statesmanship, and real good feeling towards this Colony, to doubt that he himself must now regret that hasty decision.' He did this because he saw that Mr. Molteno's influence and power would be necessary if anything was to be accomplished, and he unwisely thought that if he could make such a show of opposition as to prove to Mr. Molteno that his position in the Parliament would be endangered, he would yield. But just as when he held out a bait in the shape of personal

de temps, cet homme avait donné au monde un grand exemple du pouvoir de l'éloquence . . . comme aussi de l'enivrement et du vertige auxquels s'expose un savant qui de sa bibliothèque est porté sur le trône, et qui n'a pu que par les livres se préparer au pouvoir souverain.'—SISMONDI, *Républiques Italiennes*, vol. iv. p. 81.

<sup>1</sup> This speech was formally brought to the notice of the Secretary of State by the Ministry in their minute of September 14.

reward, so now he was again mistaken in thinking that anything could turn Mr. Molteno from the path of duty and from his belief of what was best for the country whose interests were committed to his charge.

But it was at Grahamstown, the head and centre of the Separation movement, where a monster meeting was held to discuss the despatch, that he was completely carried away by the manner in which he was received. The reception was due not to his Confederation policy, but to the fact that a separate Provincial Government was to be obtained for Grahamstown by means of confederation, and the Conference was supported because, as one of the resolutions ran—

The special interests of the Eastern Province of the Cape Colony, as well as the interests of all the other States, demand that the Eastern Province of this Colony should constitute a distinct State in the Union, and that, with this object in view, it should have a distinct and separate representation in 'the preliminary Conference proposed.'

He here attacked the Ministry in unmeasured terms, and in reply to an address presented by the mayor he said :—

Your Ministry, when the despatch arrived which concerned your interests to so important an extent, received the despatch in a way alike unexpected in England and by myself. Grahams-town now stands forward to say that the way in which your Ministry received that despatch, and the answer which they returned to it, was not the way in which it was received by your community, nor the answer which your community would have returned to it. Gentlemen, you know what it was that Lord Carnarvon proposed, and you know the way in which his proposals were received. When I found that they were so received, it was for me to confer with the people, and see if the conclusions of the Ministry were their conclusions. Well, they proved not to be so. I could not imagine that the proposals of Lord Carnarvon could be so received, and did not expect that they could have been judged throughout the Colony in the way they were judged by the Ministry; but the action of the Ministry has not been without result, and I think that if that result is unpalatable to the

Ministry, it is not so unpalatable to those who are interested in their own welfare. Now your Legislature is about to assemble in order to give its serious consideration to the last despatch of Lord Carnarvon, I can only hope that some better, some more courteous answer will be returned as the result of their later deliberations. I am obliged so far as I am personally concerned to say that I know of no instance in which a despatch of the Cabinet of Great Britain to any state whatever has been received in the same manner, *and if any foreign state had rejected overtures from the British Government in the same terms and in a similar manner, it would have known what to expect; it would have understood it as a declaration of war. No similar reply has ever been made by a Colony, therefore I cannot say what this answer from your Ministry means.* I only know to what surprises this refusal and the manner of it have given birth in England, and I hope that the explanations of the Ministry will be fully and freely stated, that the people of the Colony may know what is their conclusion, and that we may all know what to do.

In proposing his health at the public dinner given here, Mr. Froude permitted the Chairman to say—taking the cue from his Port Elizabeth speech, where he said: ‘The people are the real source of power’—

They had to remember that Mr. Froude was not sent here as an Ambassador to the Ministry alone, not to any section alone, but to the people. He was sent out as a Royal Commissioner to the people. The people were not in accordance with the present Ministry.

As showing the object with which Mr. Froude had been so keenly welcomed at Grahamstown, the chairman at the public dinner further said that the vital question which had agitated the province for many years, which had occupied some of their best intellects during a lifetime, was first separation and now federation, which he believed would prove the first step towards a true solution of Colonial difficulties, because it would be of more value in securing the confidence of the outside states than the simple division into two provinces of the Cape Colony. Grahamstown had in this matter always fought for what was right and fair. Going into the history of the Separation movement, he said

they remembered how the party of Mr. Molteno when it was wished to pass a measure of responsible government attempted to snuff out Grahamstown. He hoped that before long there would be a separation of the Cape Colony into two provinces for the purpose of local government.

The applause (says the local paper) which followed the delivery of Mr. Froude's speech was long continued and enthusiastic, and the countenances of those who had heard the great man's words showed that they had feasted on them as men who hungered after a release from Cape Town misrule, Cape Town jobbery, and Cape Town robbery. In whatever form that release came they cared not. And the words of her Majesty's Commissioner gave them hope that at last the accomplishment of their most ardent political desires was at hand, and would receive the support of the Envoy.

While one of the principal frontier papers, which was also a supporter of Mr. Froude's policy, announced that 'the dinner was not simply an entertainment in honour of a distinguished guest, but a political demonstration held with the express purpose of calling out antagonism to the Ministry, and of turning them out of office.'

On the most elementary principles Mr. Froude's conduct was unconstitutional. In his calmer moments he would remember Aristotle, who, in speaking of democracy, showed how demagogues corresponded to the flatterers of a despotic court—they flattered the people.

The demagogues likewise attack the magistrates, and say that the people ought to decide; and since the people willingly accept the decision, the power of all the magistrates is destroyed. Accordingly it seems to have been justly said that a democracy of this sort is not entitled to the name of a constitution, for where the laws are not supreme there is no constitution; in order that there should be a constitution, it is necessary that the government should be administered according to the law, and that the magistrates and constituted authorities should decide in the individual cases respecting the application of them.<sup>1</sup>

<sup>1</sup> Quoted by Sir G. C. Lewis from Aristotle, *Politics*, bk. vi. ch. vi. (Lewis, on *Dependencies*), p. 81.

Mr. Froude at Grahamstown endeavoured to justify his conduct in attacking Mr. Molteno and his Ministry :—

When I came to the Colony, it was represented to me by Mr. Molteno that it was not right for me to address the public on political subjects unless I did it through the responsible Ministry. I, of course, repudiated the construction put by Mr. Molteno upon my duty.

But had he not said at Cape Town, and only a day or two previously at Port Elizabeth, that it would be very wrong if he were to go against Mr. Molteno in any way, and that Lord Carnarvon, the Ministry, and the Queen would equally disapprove if he did? He continued :—

But as Mr. Molteno said it would embarrass him, I replied that I could not recognise such a position ; yet still, as he said it would embarrass the Ministry, I would at least act so far as to give a general promise that I would not address an audience on a subject likely to exert an influence upon your Ministry. But I did not say I would not attend a gathering of a social character. With this promise I have endeavoured to comply.

Our readers are in a position to judge how far that promise has been fulfilled ! He now denied Mr. Sprigg's statement that he, Mr. Froude, had said that Separation would not be allowed by the Home Government, and then stated :—

After this I felt myself absolved from my promise of courtesy. It would be improper for me to allow any impression of this kind to go abroad. I may be wrong : I want to know what is right. I have no one to tell me, and therefore I throw myself on the Colony, hoping that the Colony will help me.

He stated that what he understood they wished to have was separation for the purpose of local government, and as an illustration he referred to the United States as an example. 'That is what I understand you wish to have here ;' thus pandering to that Separation feeling from which he derived all the support for his policy in the Eastern centres of Grahamstown and Port Elizabeth.

He sneered at the native policy of the Colony as carried



out by the missionaries and Dr. Stewart at Lovedale, and suggested that the system of apprenticeship should be made use of, which, he said, had prevailed in England for 1,500 years up to the time of his own childhood. On this subject the Colony should admire and copy what is good in the Orange Free State Administration.

With a view to undermining the confidence placed by the Dutch in Mr. Molteno, he stooped to the unworthy action of stating what had no foundation in fact.

It was said the other day by Mr. Molteno, and it was intended to reach the ear of the Imperial Government, that the reason his Ministry was opposed to the proposed scheme of confederation was that the effect of it would be to throw the power at present held by the British in South Africa into the hands of the Dutch, which would perhaps crush the English influence altogether. (Laughter.) Although the audience laughed, those who made that assertion really meant it. He was sure the Dutch ought to be highly flattered and pleased. The loyalty of this Ministry, which was so anxious to preserve the English supremacy, was very creditable to them; but while they regretted that Lord Carnarvon should so far have forgotten the interests of England as to propose a scheme which would result so unfortunately, in their opinion, for English interests, they voted unanimously for a resolution and a minute to Earl Carnarvon that did not savour much of the loyalty they themselves professed.

Mr. Sprigg's resolution resented even the advice of England. *That resolution, to his mind, did not speak much for the loyalty of the Molteno Ministry, and many, he thought, would be inclined to doubt it.* Half a dozen such resolutions would do more to shake confidence in the loyalty of the people of this Colony, and do more to lead to the severance of its connection with England, than the importation into it of a million Dutchmen. (Tremendous cheering.)

Mr. Molteno has never made any such statement either in public or private. No despatch, no minute, and no speech contained any statement of this character; but had he done so in private, would it have been fair to make use of it thus? Mr. Molteno repudiated the whole statement in the strongest manner in the course of the speech which he made in the special session of the Cape Parliament in November. Yet

Mr. Froude again referred to this statement in his Report, merely qualifying it by saying that Mr. Molteno had never made such a statement to him personally. Mr. Froude was evidently putting in practice the principles which he had announced in his speculations on the government of dependencies. 'They may be managed,' he said, 'by adroit handling, the internal factions being played off one against the other, while the central authority prevents violent collision, maintains a general equipoise, and dissolves dangerous combination by corruption and influence.' England was evidently now putting this system in practice at the Cape, where the Colonists were being 'managed' by the Agitator sent out by the Imperial Government.

In this connection we may quote further from Mr. Froude. 'There are "practices" in the game of politics which the historian in the name of morality is bound to condemn, which nevertheless in this false and confused world statesmen to the end of time will continue to repeat.' Mr. Froude had given in his own writings a warning against the practices which he was now adopting. And may we not, when we think of the excitement occasioned by his visits and the manner in which he assisted this excitement, say with him there are 'times of excitement when reason is unseated by passion, and large masses of men become possessed with illusions, under which, like sheep, they bleat but one senseless note, and can be driven in multitudes where any barking demagogue desires to misdirect them'? Equally prophetic are the words he uses, in speaking of what an opposition does:—

It embarrasses the Executive Government when it most requires discretionary liberty of action, and brings discredit on it by unscrupulous abuse when its difficulties require most candid consideration. It encourages the hopes of fanatics and enthusiasts, provides madness with argument, and tells the incendiary and revolutionist that his objects are good and are resisted only by selfishness and wickedness.

It is evident that Mr. Froude was determined that his opposition to the Ministry of the Cape should possess all the characteristics which he had predicated of a 'constitutional opposition.' This was the man who asserted that he was sent to extend and expand constitutional government in South Africa!<sup>1</sup>

Mr. Froude's remarks upon apprenticeship had fallen upon a retentive soil. At an interview between the Grahams-town Chamber of Commerce and Mr. Merriman, Commissioner of Crown Lands and Public Works, which followed closely upon Mr. Froude's visit, the following dialogue took place. Mr. Copeland asked why so long as there was so much native labour idle the Government did not initiate a measure to compel the natives to work. The Commissioner answered that if they wanted trouble, if they wanted the country involved in another war, that was the best way to bring it about. Mr. Godlonton added that something might be attempted perhaps on the 'compulsory education' system. 'They remembered Mr. Froude's remarks as to the value of apprenticeship.' Mr. Merriman replied that as to compulsory labour it would be utterly opposed to the system of the Government in the administration of their native policy; while, in answer to a question as to discussing the apprenticeship system of Mr. Froude, he replied that the Government had no policy in that direction. They could only treat the natives as equals and follow-subjects with white men. He was assured that any

<sup>1</sup> At a subsequent period Mr. Froude appears to have reflected upon his doings in South Africa, and he very wisely says: 'The doers of things are for the most part silent. Those who build up empires or discover secrets of science, those who paint great pictures or write great poems, are not often to be found spouting upon platforms. The silent men do the work. The talking men cry out at what is done because it is not done as they would have had it. . . . The periods where the orator is supreme are marked always by confusion and disintegration.' (Froude's *The English in the West Indies*, p. 12.) Mr. Molteno and Sir H. Barkly were doing the work, and Mr. Froude was playing the orator.

legislative enactments would only mean disaster. As to apprenticeship, it was only a modified form of slavery, and had never been established in the Colony.

Mr. Froude further stated during his visit: 'If I am wrong in attending such demonstrations as these the citizens of Grahamstown have welcomed me with, I cannot help it. I throw myself upon the people'; and in another speech:—

I can inform those present that Lord Carnarvon's thoughts are unceasingly occupied with an ardent desire to bring about a scheme of confederation in South Africa similar to that in Canada. The Canadian Dominion was his own work, and he hoped to be able to perform a similar service for the States of South Africa, and Mr. Molteno's following will find that they will be unable to thwart Lord Carnarvon's efforts to bring about his desired end.

Can we believe that this is the man who at Cape Town said Lord Carnarvon had not proposed confederation?

He here also confessed that on his previous visit he had not entirely avowed the real reason why he did not address them, and with regard to the position he was taking up in opposing the Ministry he said: 'I would very much like to hear that eminent constitutional lawyer, Mr. Attorney-General Jacobs, say something on that point.' Could anything be more outrageous as a violation of every principle of constitutional etiquette and of the essential principles of responsible government, apart from the extraordinary spectacle of her Majesty's envoy speaking of her Majesty's Attorney-General at the Cape with such cynical contempt?

Newspapers which had hitherto supported Mr. Froude now began to be alarmed. The 'Graaff Reinet Herald' pointed out that if the Colony were in the least degree worthy of the representative institutions it possessed, it would resent Mr. Froude's interference.

Either we are to carry out the principles of the constitutional institutions which have been granted to us, or not; if the latter, we had better surrender the free institutions that have been

granted to us and become a Crown Colony again ; if the former, then we should refuse to be dictated to by Mr. Froude.

Mr. Froude seemed to think that these meetings had placed the supreme direction of affairs in his hands, for he writes to the Governor drawing attention to the meetings :—

The object at both places was to press you to use your constitutional powers, and reassemble the Cape Parliament without delay. I suppose the example set in the Eastern Province will be generally followed, and *in that case I may be obliged to write officially to you—supposing Mr. Molteno cannot see his way towards complying—to learn what you propose to do.*<sup>1</sup>

If responsible government was anything more than a mere sham and a toy to amuse little youthful colonies with, was it not proper that Mr. Molteno should resent, and justly resent, this monstrous interference? If our readers will imagine for one moment the scene shifted to England herself, and apply the position at the Cape to the relations between the Crown, the Legislature, and some stranger claiming a commission from public meetings and some mysterious higher authority to interfere between the Prime Minister, the Legislature, and the Crown, they will appreciate the extraordinary character of Mr. Froude's actions.

On the 24th of September, he wrote again to the Governor telling him why he had attacked Mr. Molteno, and the letter is important, as throwing some light on the position Mr. Molteno had taken up during Mr. Froude's first visit. It had been stated in the press that Mr. Molteno had been consulted about the Conference on Mr. Froude's previous visit, and had expressed himself as favourable to it : an immediate denial was given to this statement by Mr. Molteno,<sup>2</sup> but his

<sup>1</sup> The italics are not Mr. Froude's.

<sup>2</sup> See letter of 16th of September, 1875, from Mr. Molteno to Sir Henry Barkly :—

' You will I dare say notice in the *Standard* and *Mail* of to-day the statement that " I was consulted before the first despatch came out, and that it was understood that I was favourable to the Conference, &c., &c." This is really

denial was not accepted by the Froudean press, though Mr. Froude knew it to be the truth, and this is how Mr. Froude himself deals with it :—

I spoke at Port Elizabeth and at Grahamstown in consequence of a telegram from Sir Garnet Wolseley informing me that there was no longer any hope that Mr. Molteno would give way. Mr. Molteno, I am sorry to say, writes to me that he will in consequence hold no further communication with me on political subjects. In justice to all parties, I think, Mr. Molteno ought to produce and publish the letter which I wrote to him at Lord Carnarvon's desire,<sup>1</sup> which accompanied and explained the first despatch.

It will prove, at any rate, how earnestly Lord Carnarvon desired to meet Mr. Molteno's wishes, and how completely he supposed that the proposed Conference would harmonise with the views which Mr. Molteno had expressed on the general situation of the country. A *conference* was not spoken of in the conversation which passed between Mr. Molteno and myself as a practical means of meeting the difficulties which had arisen respecting Natal and Griqualand West, but undoubtedly I left Mr. Molteno with the impression that his views on the second point coincided with my own ; while with respect to the native question in Natal, he distinctly said to me that we could do nothing which would not react on the Cape Colony, and I therefore necessarily inferred that it would be only gracious to consult him.

It is true that he told me that he considered the discussion of Confederation premature, but he said also that if the road seemed to open in that direction, no difficulties would be raised by him. Lord Carnarvon therefore simply indicated in the despatch that if, after the Conference met, Confederation should present itself as the easiest solution of the other problems, the British Government would gladly welcome and promote it.

Mr. Froude in his Report made in the following January thus refers to his conduct in this matter :<sup>2</sup>

My first intention was to return to Cape Town and make a special appeal to Mr. Molteno. Your Lordship is aware that I desired nothing less than to set myself in opposition to Mr. Molteno,

too bad. I have been urged to come forward and deny the truth of this statement, but think it sufficient to state to those who have inquired about it that there is no foundation whatever for the statement, and have reason to believe that this will appear in the papers of Saturday.'

<sup>1</sup> This is the letter given *supra*, p. 337.

<sup>2</sup> *I. P.*, C—1899, p. 76.

that I regarded him as eminently qualified for the high position which he occupies ; and that so far from wishing to be instrumental in promoting a change of Ministry, I deprecated such a change as likely to be a serious misfortune. If Mr. Molteno, therefore, had held out the slightest hope to me that he would be prepared to make the most trifling concession, I should not have hesitated to again address myself to him. In his last conversation with me, however, he had been so peremptory that he had left me no excuse for again approaching him uninvited. With others, as I well knew, he had been equally decided in his language, and I thought it better to wait till I had learnt his intentions through a separate channel. Sir Garnet Wolseley's term of office having expired at the end of August, I returned with him as far as Port Elizabeth. I myself remained there ; Sir Garnet proceeded to Cape Town on his way home. A few days later I learned from an authority on which I could perfectly rely, that Mr. Molteno was, as I had expected, immovable.

Mr. Froude followed up these speeches by writing a letter to the Mayor of Grahamstown, in which he says :—

I must write a few words now, when the excitement of the first impression has cooled, to thank Grahamstown for the splendid support which it has rendered to her Majesty's Secretary of State, and to thank you further on account of your own self for the reception you gave me as Lord Carnarvon's unworthy representative. Nothing, I can assure you, can give more pleasure either to *her Majesty's Government or the English nation*<sup>1</sup> than to receive such an account of the hearty *loyalty of the inhabitants* of so important a community as yours ; a loyalty, I may say, which has been displayed remarkably and universally through both provinces of this great Colony. To yourself as Mayor, and all the rest of your community, I tender this imperfect expression of my gratitude.

Could anything be more extraordinary than such an assumption ? Originally he was supposed to represent Lord Carnarvon, but now it appears that he not only represents Lord Carnarvon, but the English nation ! And on the 29th of September, replying to an invitation from the inhabitants of Uitenhage, he wrote :—

<sup>1</sup> The italics are the author's.

Before proceeding with the Conference in Natal, I return to the Colony to ask again if it adheres to its refusal. In doing so I was endeavouring to respond as it deserved to the warm and loyal feeling which had been so signally displayed, and I decline to admit that on this account I can be justly reproached with the name of an agitator; I have not been connected with any party in this Colony, and I have no intention of connecting myself with any party. *So long as there was any hope of a favourable answer, I negotiated, as I was bound to do, entirely with the responsible Ministers of this country. It was only when these Ministers appeared inexorable that I was constrained to ask the people whether they consented to the action of their representatives.*<sup>1</sup>

The conduct and self-importance of this Imperial emissary would be ludicrous were it not for the serious consequences likely to follow from such action, more especially when we remember it was formally brought to the notice of the Secretary of State by the Cape Ministry, and received that official's formal and emphatic approval.<sup>2</sup>

Finding the Colony in possession of responsible government and a Parliament, when it appears that neither the Ministers nor Parliament were ready at once to accept certain proposals, Mr. Froude passed by both and went from platform to platform to appeal to the people. It was surely the first time the Imperial Government had so used its influence, and it is to be hoped it will be the last. One of the most unpleasant and dangerous features in this campaign was the persistent manner in which Mr. Froude allowed himself to talk of the loyalty of those who support his views and the disloyalty of the Ministers who do not. Thus conducting the discussion of the matter so as to make it a dispute between the Cape Parliament and the Colonial Office, and fixing the print of disloyalty upon the Colonial Government and its supporters. He distributes his praise and blame among the 'loyal' and 'disloyal,' and describes the pleasure of the English nation in receiving such an account

<sup>1</sup> The italics are the author's.

<sup>2</sup> See despatch of January 24, 1876, *I. P.*, C—1399, p. 87.



of the hearty loyalty of the community, and this, in the Colony where the Queen is represented by the Governor of her own appointment and clothed with her authority. Can it be conceived as proper or possible for any person fully authorised to express the sentiments of the Imperial Government to divide the population into loyal and disloyal merely because of a difference of opinion on a question of great complexity and involved in local party opposition? Could it be contended, when the Colony was maintaining its opinions in a regular and constitutional manner, that a stranger professing to speak in the name of the Imperial Government should go up and down the country dividing it into loyalists and anti-loyalists.

Lord Blachford, as Sir Frederick Rogers, had been Under-Colonial Secretary from 1860 to 1871; he had therefore a wide colonial experience, and was in a position to give a valuable judgment on these questions. He writes:—

As between independent countries, it is, we believe, well understood that Governments treat only with each other. Of course an Ambassador may properly accept hospitality from persons of all parties, and express his opinions in private. But if the Russian Ambassador had 'stirred it' at anti-Turkish meetings, and made speeches to his English audiences against the Ministerial policy, he would soon have ceased to reside in London. Now, colonies possessing responsible government expect—and their comparative weakness increases their right to expect—the same kind of dealing. They have a right to expect that the Parliament and Ministry which they have chosen to conduct their affairs shall, by the Government of the mother country, be taken to represent them, and that British Ministers—who can always make their sentiments fully known by publication in England, or by communication with the Colonial Government—shall not attempt to outflank or undercut that Government by direct appeals to the people of the Colony.

It is clear what mischief would follow if a Secretary of State thought himself at liberty to send out accredited agents to ally themselves with this or that party, and to prevail on them to support this or that Imperial object in opposition to their own chosen authorities. A momentary advantage may be gained by

thus organising what used to be called a 'British party.' But such detestable success—as detestable, we are sure, to Lord Carnarvon as to ourselves—would be gained at the expense of all that is wholesome or cordial in the relation between the Home and Colonial Governments, and in particular by the loss of confidence now felt that controversies will be carried on by direct means, and according to settled laws of warfare.

Now this understanding it is which Mr. Froude is accused of violating, and, in fact, did violate. He put himself forward as the accredited exponent of the views of the British Government. He styled himself, we are told, 'the unworthy representative of Lord Carnarvon,' and in this capacity thanked a public meeting for 'the splendid support which it had rendered to her Majesty's Secretary of State.' Occupying, both from the nature of the case and in his own opinion, this representative position, he recommended Lord Carnarvon's policy, not by a written representation of his views, addressed once for all to whom it might concern, but by the process rudely described as 'stumping'—that is, by a series of speeches made in different parts of the country, and, in the opinion of his accusers, by speeches calculated to revive certain sectional animosities between Dutch and English, east and west (we are trying to look at their story as they see it themselves), which, since the establishment of responsible government, local legislation was in a way to efface. To represent all this as a 'trespass on official etiquette' does not at all convey the real nature of the charge. What the Imperial representative seems to have done was to violate publicly and perseveringly a constitutional obligation which the colonists had a right to view as one of the essential safeguards of constitutional right.<sup>1</sup>

On the occasion of the opening of a railway at Uitenhage where Mr. Merriman, a member of the Ministry, was present, Mr. Paterson and the supporters of Mr. Froude also attended in large numbers from Port Elizabeth, and when Mr. Merriman attempted to speak he was received with uproar and shouted down. Mr. Froude himself had to retire, and the proceedings were typical of the confusion that was likely to be brought about by his conduct. Even he appeared to appreciate this incident, and ceased addressing any more meetings. According to his own account, in his

<sup>1</sup> *Edinburgh Review*, April 1877. The authorship of this article is accepted by Lord Blachford in his *Letters*, pp. 376, 377.

report after the scene at Uitenhage, the result flashed across his mind: 'I dared not make myself the occasion of further reproach to the Imperial Government.'<sup>1</sup> All this time Lord Carnarvon said not a word; he permitted Mr. Froude to do as he pleased, and when formally appealed to by the Ministry he approved his actions completely.

Mr. Froude had written to the Governor, demanding as a right to see all the official documents and papers, 'as the agent of the Imperial Government.' We have seen by his letter to the Mayor of Grahamstown that he had declared himself a representative of Lord Carnarvon and also of the British nation. And we have further the fact that most important changes in the government of the country were announced by Mr. Froude before the High Commissioner had been in any way informed of them. It was thus that Mr. Southey's supersession in the government of Griqualand West was made known long previous to the official announcement being received, and Sir Owen Lanyon's appointment was announced in a similar manner. He had now condemned every Imperial official from the High Commissioner downwards and the Parliament and Premier as well. There is a striking parallel between this emissary of the Imperial Government and those officials (or, as they were termed, spies) of whom Sir George Cornwall Lewis tells us:—

In later times the Roman Emperor employed certain agents (styled 'Agentes in rebus') to visit the provinces and furnish the supreme Government with information respecting their condition. These officers were moveable and were not connected with any separate department in Rome. They appeared to have been considered in the odious light of spies and informers, and they are accused of having ruined persons in the remote provinces by false accusations.<sup>2</sup>

It was indeed a curious and unprecedented state of affairs. Mr. Froude, as the envoy of the Imperial Govern-

<sup>1</sup> *I. P.*, C—1899, p. 79.

<sup>2</sup> Lewis, on *Dependencies*, p. 162.

ment, had now been for several months past subverting every principle of constitutional and representative rule in the Cape of Good Hope, while the responsible Ministers of the Crown in Cape Town were conducting her Majesty's Government in what seemed to them, as it seemed to an overwhelming majority of the Legislature, to be the right and proper course. And while her Majesty's representative, Sir Henry Barkly, was directing the Government in Griqualand West under circumstances of peculiar difficulty, Mr. Froude was using every means within his reach by stump orations and diplomatic manoeuvring to destroy her Majesty's Government and heap ridicule and contumely on the men who had to bear the brunt of the situation. The Governor had no hesitation in saying to Mr. Molteno that he could not believe that the proceedings of Mr. Froude were assented to by Lord Carnarvon. But what was the fact? Lord Carnarvon was giving his confidence to Mr. Froude to a greater extent even than to the High Commissioner; indeed, relying on Mr. Froude's representations of the position of affairs, he went so far as to reprimand the High Commissioner for not remembering that he was High Commissioner, and, as such, not responsible to the Colonial Ministry for his acts.<sup>1</sup>

Proceedings of this kind (says Lord Blachford) are sometimes done, disavowed, and rewarded. Lord Carnarvon did not disavow,<sup>2</sup> he did all that he could, and indeed more than he ought to have done, to shield his representative. He eulogised his character, ability, and earnestness; he justified his giving explanations which might appear to him to be necessary at a very critical moment! He also, most unnecessarily, approved his ceasing to give them. He gently vindicated his own position by pointing out that Mr. Froude was 'unfettered in the exercise of his own discretion as to the events of the moment,' but expressed himself fully satisfied that no unconstitutional agitation had been carried on.<sup>3</sup>

<sup>1</sup> Despatch, Jan. 24, 76 C—1399, p. 82.

<sup>2</sup> See Parliamentary papers. Correspondence respecting the proposed Conference of Delegates on the Affairs of South Africa, *Edinburgh Review*, February 1876, pp. 87-90.

<sup>3</sup> *Edinburgh Review*, April 1877.

It was the obvious duty of Lord Carnarvon to repudiate the conduct of Mr. Froude on every principle of right government, and particularly upon that which he had himself laid down so clearly in a debate in the House of Lords on the inauguration of Confederation in Canada.

If responsible government means anything at all, it means this—that you not only give to a Colony free institutions and enable the inhabitants to elect their own Parliament, but you also undertake in matters of Colonial policy to deal only with that Colony through the legally constituted authorities.

Had he repudiated the violation of this fundamental and constitutional principle by the agent and agencies through whom and through which his policy had been attempted to be foisted and thrust upon the people of South Africa, little permanent injury might have resulted.

Let us bear in mind that Mr. Froude had declared that England had no desire to retain South Africa, and that should she desire to separate she might do so whenever she chose, and that this policy had been come to deliberately and was to be carried out immediately on certain conditions.

He thereby placed Lord Carnarvon if not England on the horns of a dilemma. If this were true, then the sooner South Africa set up an organisation to work for this object the better pleased would England be; and if it were not really her view, then Lord Carnarvon and England must be accused of a most unworthy deception, which has brought about very fatal results. We have never yet had a disavowal by word or despatch of this policy. Is it still England's? We have had ample circumstantial evidence that it was not Lord Carnarvon's intention, for we find him subsequently annexing the Transvaal, and it leaves a somewhat unpleasant reflection as to his sincerity. It is this playing fast and loose with matters of vital moment which has done so much injury to South Africa, and made so much trouble for England.

We see now what a serious matter it was for Lord

Carnarvon to give his support to all that Mr. Froude had said, and yet what does he say in his despatch of January 24, 1876, in stating what has been Mr. Froude's position with reference to himself and to her Majesty's Government?—

He has possessed from first to last my full confidence, and whilst unfettered in his own discretion as to the events of the moment, with regard to which it is obvious I could not give, and for which I purposely abstained from giving, detailed instructions, he has been able to explain the general tenor of my wishes and objects with an eloquence and fulness and ability to which, hereafter, if not now, ample credit, I am convinced, will be given.<sup>1</sup>

And in place of any censure he continues to observe that he takes this opportunity to express his recognition

of the great and lasting benefit which he has conferred upon South Africa by his untiring energy, by the high qualities which he has brought to bear on the particular question of the time, under circumstances of peculiar difficulty, and by the clear and forcible manner in which on many occasions he has inculcated a policy and principles not unnaturally lost sight of by many under the more immediate pressure of local questions.

He further stated that Mr. Froude had received no official instructions, and that no formal correspondence had passed between him and this department, and, finally, that 'he is fully satisfied that no unconstitutional agitation has been carried on in the Cape Colony in connection with this question.'

Lord Carnarvon and his agent being the accused, the former constitutes himself the judge and pronounces in his own and his agent's favour. Lord Carnarvon again imagines, as he frequently did, that his *ipse dixit* was all-sufficient to settle the question. History and time must give a different verdict, as indeed did all impartial persons at the time.<sup>2</sup>

<sup>1</sup> Despatch, Jan. 24, 1876. *I. P.*, C—1899, p. 87.

<sup>2</sup> Lord Blachford writes to Sir H. Taylor, December 28, 1875 :—'What do

Although the tone adopted by a powerful Government at home had given the key-note to an ill-informed public opinion which treated the Cape Ministry as fools, who, to use a vulgar but expressive proverb, 'would cut off their nose to spite their face,' yet even the 'Times,' while fully supporting Lord Carnarvon's policy, very fully admitted that

it cannot be denied that Mr. Froude's position has been for some months anomalous, scarcely consistent—in form at any rate—with the usages of Constitutional Government.

The 'Daily News,' writing on the same subject, said :—

How much power Lord Carnarvon intended to delegate to Mr. Froude when he sent that gentleman out to the Cape as a Commissioner of a public office, the public has no means of knowing. Mr. Froude as a man of genius is an admirer of heroic modes of action, and, seeing a fight going on, threw himself into it with an ardour which contrasts strangely with the prudent and patient reserve which most men of official training would have considered was imposed on them by their position.

The 'Standard,' writing on Mr. Froude's action, says :—

It is impossible to say where his knowledge of facts leaves off and where imagination begins to supply its place. . . . when he assumed to himself the position, the power, and the honours of a Royal Commissioner his vanity made him take his commission from his imagination.

Mr. Froude went beyond his tether, and was 'playing fast and loose in a very unworthy manner.'

Under all those circumstances no one will wonder that Mr. Molteno addressed a Minute to the Governor advising

you know or think about Lord Carnarvon's Cape of Good Hope agitation? It seems to me (as to the Cape people) that the Froude mission was an error, both as to the thing and as to the man. I wonder Herbert, with his Australian experience, agreed to it. And Froude was not the kind of man (I should think) to make it go down—a man who would take up a view and work it not with reference to truth or practical success, but with reference to scenic effect. No doubt he is a very clever fellow, and when he has got a truth he makes it tell. But I cannot imagine a more unpersuasive person—judging from his books and a long-ago recollection of his person.'—*Letters of Lord Blackford*, p. 364.

him to summon a special session of Parliament. He therein stated that Ministers had been induced to adopt this course by extraordinary and entirely unprecedented circumstances, having their origin in an agitation which is countenanced, if not aided, by a gentleman regarded as an accredited agent of the Imperial Government, and which has apparently for its object the bringing of the Governor and Ministry into contempt. The successful administration of the government of a country cannot but prove most difficult under

the influence of such a movement, while its interests cannot fail to be greatly prejudiced . . . Ministers cannot overlook the extreme danger to the country likely to arise from any attempt to carry on its affairs on the part of a Ministry subjected to difficulties of so extraordinary and exceptional a character.'

There had been no opportunity for the Ministry to express their feelings. Mr. Molteno considered it entirely beneath the dignity of his position to make any communication to the newspapers. Mr. Froude had had the field to himself, and when Mr. Merriman attempted to speak he was shouted down by Mr. Froude's supporters.



## CHAPTER XV

## EVENTS LEADING UP TO SPECIAL SESSION OF PARLIAMENT.

1875

Mr. Molteno's reasons for advising Special Session—Contemplates Resignation—Correspondence with Sir Henry Barkly—Press supports Lord Carnarvon's Policy—Misrepresents feeling of Country—Lord Carnarvon's second Despatch—Ministerial Minute on Confederation—Mr. Molteno refuses to allow Mr. Froude to see Minutes—Froude presses Governor for Ministerial Policy—Correspondence with Sir Henry Barkly—Revolution in Constitution of Natal—Sir Garnet Wolsley Dictator—Reply of Natal—Reply of Free State—Reply of Transvaal—Public Excitement.

MR. FROUDE, as we have already seen,<sup>1</sup> had urged upon the Governor the summoning of a special session with a view to displacing the Premier. It was from quite a different point of view that Mr. Molteno had arrived at the conclusion that a special session was absolutely necessary in the interests of the country. It appeared to him to be imperative to take the strongest constitutional step in his power to put an end to an agitation, which was fraught with the most dangerous consequences to the country. It was indeed a time of severe trial to him. The arduous work, to which he had devoted his life, of consolidating the different portions of the Colony, both politically and in sentiment, of disposing of contentious party cries, such as those of East and West, and English and Dutch, of uniting the best qualities of both in the advancement of their common country, of disarming the power of the natives for evil by ruling them with justice, and showing them the genuine desire of the white men for their welfare—all this was now being shattered by the wild and reckless agitation directed and fanned by Mr. Froude.

<sup>1</sup> See p. 412, *supra*.

Responsible government, which he had advocated since his membership in the first Parliament of the Colony, and which he had introduced and administered with such conspicuous success, was being undermined by Lord Carnarvon and his agent, Mr. Froude. Its vindication could be no longer delayed, and, for the sake of the peace and safety of the country, an end had to be put to the agitation.

So disastrous was the existing state of things to his hopes and aspirations for the good of the Colony; so pained was he by the action of Lord Carnarvon and Mr. Froude, and to such an extent was his attitude misrepresented in the press of the mother country, and the partisan newspapers of the Cape, that at one time he momentarily contemplated retirement; but it had never been his habit, and it was not in his nature, to draw back in the face of difficulties, and he determined, therefore, notwithstanding the worry and anxieties connected with the position, to firmly maintain and adhere to the course which he had conscientiously taken up. He wrote to Sir Henry Barkly as follows:—

Colonial Secretary's Office,  
Cape Town, August 21st, 1875.

MY DEAR SIR,—I wrote you a hurried note by last post (Thursday), with copies of telegrams relative to native affairs; since which nothing further has been received. You will notice that Sir Garnet Wolseley remains at Natal until Sir Henry Bulwer arrives, so the latter has left this morning in the *Windsor Castle* for Port Elizabeth, and goes on from that port in the *Florence*, by which vessel Sir Garnet comes to this, and will probably go home in the *Windsor Castle* on the 10th of September. I have had a good deal of conversation with Sir Henry Bulwer; from what he says I suppose a despatch from Lord Carnarvon to your Excellency must have reached this and been sent on, which will no doubt throw some light on the confederation question. I have a note from his Lordship in reply to mine of the 26th of June; but, beyond expressing regret at the difference of opinion, and that it will give him the greatest personal satisfaction to find a mode by which, in our different spheres of action, we can work towards the common object which he is persuaded we have in view, the general

welfare of South Africa, there is not much in it. Sir Henry is, of course, favourable to holding a conference, even should nothing immediately result from it, and also hopes that the difficulties may be overcome. I did not lead him to believe that I thought there was much chance of this, in so far as my colleagues and self personally were concerned. I am rather disappointed at the extent to which opposition is being evinced to Merriman's appointment, and how it is being worked into the confederation question. Altogether, it looks very much as if the action of Lord Carnarvon and Mr. Froude must have the effect of shortening the period during which, in my present position, my services will be of much use to the Colony.

The newspapers will give you full information as to what is going on generally here.

Believe me, my dear Sir,

Yours very truly,  
J. C. MOLTENO.

His Excellency Sir Henry Barkly, K.C.B.

To this Sir Henry Barkly replied :—

Kimberley,

August 18th, 1875.

MY DEAR SIR,—I have to thank you for your note of 21st inst. 'No news' from the Transkei may, I trust, be taken as 'good news.'

Sir Henry Bulwer has written to me as to his conversation with you about the Conference, and seems disappointed that you did not hold out more hopes of joining. I fancy I have been represented at home as the chief stumbling-block. I still hope you will take advantage of my Minute on Lord Carnarvon's despatch, No. 64, to explain during the recess why your Cabinet is reluctant to commit this Colony to taking part in the Conference, and the conditions upon which such reluctance would be overcome. It appears to me this is due to yourself, in face of the misrepresentations of the press at home, whatever the result of the agitation may be. I am sorry to see you writing as if you thought it not improbable it might lead to your retirement from office, more especially as a Ministry pledged to separation would be the inevitable consequence. . . .

Yours very truly,  
HENRY BARKLY.

To the Hon. J. C. Molteno.

At the end of August the decision was taken to summon Parliament. It was a bold course for Mr. Molteno to take while the agitation was practically at white heat against him ; but he meant to loyally carry out the principle of responsible government ; he believed fully in the prudence, the moderation, and the wise action which characterised his fellow-legislators. He believed that he was supported by all the best men in the country ; but, at the same time, he would never have wished to hold office for a day did he not possess the real confidence of the country. There could be no doubt that the experiment would be attended with a large amount of risk to his Ministry, but Mr. Molteno was prepared to take the risk, as he had done in the Langalibalele affair, whenever the interests of the country demanded it. As the event proved his confidence was well placed. He felt that it would disarm the attack which had been made against him, both in the Colony and in the mother country, on the ground that Lord Carnarvon's proposal for a Conference had been dealt with too summarily, and without giving proper consideration to a proposal of such an important character. We have seen that Lord Carnarvon's own instructions permitted no delay, and that the charge was therefore most unfair to Mr. Molteno, who had urged delay in the strongest manner.

At this time Sir Henry Barkly was absent settling the affairs of Griqualand West, a fact which added considerably to the difficulties of Mr. Molteno's position. He had to take important steps such as the above entirely on his own initiative. That his conduct had the full concurrence of Sir Henry Barkly appears sufficiently in an extract from a letter of the latter's, dated the 4th of September, 1875 :—

It is easy to see, however, that in the present temper of the times the experiment will be attended with a certain amount of risk to your Ministry. Nevertheless, I concur with you that the boldest step may probably prove the safest, nor do I for a moment

doubt that under the extraordinary circumstances of the case, the early assembling of Parliament would be the most constitutional and patriotic step you could adopt, and, therefore, the most worthy of your high position in South Africa. If it leads to a change of Ministry it must be advantageous to the Colony that it should take place a sufficient time before the ordinary session to admit of due preparation for public business. If it confirms your tenure of office you and your colleagues will have more heart to discharge your duties. In any event the Imperial Government, though it would doubtless prefer a direct appeal to the country, would no longer have cause to complain that its invitation had been hurriedly declined and its suggestions not treated with due deference. I do not indeed abandon the hope that concessions on your part, which would satisfy Lord Carnarvon, might be found practicable. What seems to me essential is that a definite statement of your objections should at once be drawn up both for transmission to his Lordship and to justify you in the course you have felt it your duty to pursue against the misrepresentations so industriously circulated by your adversaries . . . Of course, in a matter of this kind I leave you quite at liberty to act in my name while absent. Sorry to be separated from you at such a time, but in some respects it may be well that your decision should be come to without possibility of its being said that I had biased you against Lord Carnarvon's policy. You can now deal with Mr. Froude alone, and if he has authority to enter into a Conference, I can only say that I should be very glad to hear of its accomplishment, and that I have no wish whatever to complicate matters either by standing or putting impediments in the way of the fullest discussion of the course I have pursued.

Some further light is thrown upon Lord Carnarvon's views at this time by a letter from Mr. Fuller, the Cape Emigration Agent, who wrote to Mr. Molteno on the 5th of August:—

I have this moment left Lord Carnarvon, and have had a long talk with him about the Cape and the Conference. It is now a quarter-past five, and I can only now state the drift of the conversation, or rather a little bit of it. The Earl expressed his determination to go on with the Conference, but said he appreciated the difficulties of the Cape Government, though he considered the Minute not very courteous to himself. He was, therefore, because of the difficulties, very anxious if he could be shown the way to meet the Government, so as to enable them still

to co-operate without compromising their own position. He expressed himself as having great regard for yourself, and said that if oil could be poured on the waters he should be very glad. I went very fully into the difficulties of the Ministry in reference to a Conference, and its uselessness for bringing about federation or any improvement in the native policy of the Orange Free State, which he and Mr. Herbert both profess to be the main object of the Conference, besides special consultation about Natal. But of course, Lord Carnarvon had the unanswerable argument that he must go on, with all the papers but the 'Argus' in his favour.

This reference to the unanimity of the press, a reference which Lord Carnarvon made public in his despatch of the 22nd of October, together with his uniformly peremptory instructions to publish his despatches immediately and without reference to the views of the Ministry or Governor, shows how determined was his purpose to pass by the properly constituted authorities and appeal directly to the people—a policy which his own words had condemned most absolutely in the case of Canada. The South African press was favourable with two or three exceptions. There were perhaps twenty newspapers published in the Cape Colony and Griqualand, and only two of these were opposed to him, but of these one was the 'Argus,' a host in itself, and in power and ability more than equal to all the rest put together. The greater part of the Cape Colony was, and is not given to express its feelings in the press, which is out of sympathy with the rural population, and represents the trading and town portion of the community. The Dutch press was opposed to Mr. Molteno in regard to responsible government, and Mr. Froude's avowed leanings towards the Republics had secured its complete support in the furtherance of Lord Carnarvon's policy. The 'Standard and Mail,' which was really the English edition of the 'Volksblad,' naturally enunciated the views expressed in the latter. It is easy to influence personally so small a number as the editors or proprietors of some twenty papers. That they

did not represent the feelings or views of the majority of the electors in this instance is amply proved by the large majorities by which Mr. Molteno was supported in Parliament.

Upon receiving the news of the reception accorded by the Cape Parliament to his Conference despatch of the 4th of May, Lord Carnarvon did not hesitate to express his annoyance. He had implicitly trusted Mr. Froude, who in conjunction with Mr. Paterson had drawn up the details of the despatch. Lord Carnarvon had never had the time or opportunity to really master the intricacies of South African politics, which, he was aware, were difficult to fathom; <sup>1</sup> but he had trusted that Mr. Froude's special mission would have fully supplied this deficiency on his part. We have already drawn attention to the defects of Mr. Froude, to the imperfect character of his investigations, and the unsoundness of the deductions he had drawn from his visit. To supplement his own want of experience, Mr. Froude had unfortunately relied on Mr. Paterson, who had naturally so arranged the policy of the despatch as to favour the eastern province idea of separation. Mr. Froude had confessed his utter surprise to the Governor that the despatch should raise such a question, while Lord Carnarvon now informed the Governor

<sup>1</sup> Mr. Fuller, under date 15th of August, 1875, writes to Mr. Molteno:—

‘In talking over the whole business with Earl Carnarvon, I confess I was surprised with what seemed to me his feeble grasp of the affairs and the necessities of the Colony. I explained to him the very great dissimilarity in the position of the various states with regard to the natives, and the great difficulty a Cape Government would have in disturbing the Cape natives by a Conference to inaugurate a common native policy. He rejoined that he considered the Cape policy admirable, and that his idea was to instruct the Transvaal and the Orange Free State in your better ways and statesmanship. He really seemed to think that a few hours’ talk would put them right. I told him frankly the difficulties were far greater than he imagined, and that I did not think anything practical would come of a Conference with states perfectly familiar with each other’s ways. I said moreover that the Cape in pushing on public works—railways into the interior, &c.—and pushing our possessions beyond the Kei, was taking the surest means of bringing about an ultimate federation of the states.

‘Mr. Herbert, the Under-Secretary, was far more candid in admitting these things; but the “African Conference” is evidently a Conservative trump card—part of the policy of building up the colonial empire which the party affects.

that he himself had only become acquainted with Mr. Molteno's objections to separation since the despatch was written.<sup>1</sup>

When Lord Carnarvon's second despatch, dated the 15th of July, arrived, separation was treated as an open question, and Mr. Molteno was accused of inconsistency on this point, though the Governor had by this time informed Lord Carnarvon that separation would be a cruel blow to the material prosperity of the Colony, and he could not think the Imperial interests would be promoted by having three or four weak colonies to deal with—for it would be impossible to stop short at two—instead of one wealthy and powerful whole. Mr. Froude was in constant communication with Lord Carnarvon, and Mr. Paterson with Mr. Froude, and it had now become evident how important to his policy would be the support to be derived from the separation party. The Governor and the Premier's advice was set aside by the Secretary of State to follow the advice of two irresponsible outsiders, of whom one was the known opponent of Mr. Molteno in the Cape Parliament!

In his despatch of the 15th of July Lord Carnarvon says:—

It is, of course, my desire to maintain a complete and friendly understanding on all matters with your advisers, whose attention on a recent occasion to the views and wishes of her Majesty's Government I have lately had pleasure in acknowledging, and I am confident that they will concur with me in desiring that, as far as practicable, all misapprehension on this question should be removed.<sup>2</sup>

<sup>1</sup> Sir Henry Barkly to Mr. Molteno under date of the 31st of July:—

'I have a private note from Lord Carnarvon which concerns you. He says he has become aware since writing his despatch that you have publicly expressed yourself against separation; and he leaves it to my discretion to appoint two representatives for the whole Colony, and that if I require a formal despatch he will send one. I told him I think the modification should be publicly announced in his next despatch, but that meanwhile I would make it known to you privately.'

<sup>2</sup> *I. P.*, C—1899, p. 5.



With this view he discusses some of the objections raised to his proposal, and with regard to the separate representations of east and west at the Conference :—

I am glad to learn that there is now no longer any practical difficulty in satisfying the requirements of the two provinces under one Administration, and I doubt not that this is largely due to the prudence and ability with which public affairs have been conducted by your Ministers since their accession to office.

Still, he thinks it right for himself to have referred to the question, and takes shelter under the fact that Mr. Molteno had been associated in 1871 with the Committee appointed to consider the division of the Colony into provincial governments. Inasmuch as this Commission had found the difficulties and disadvantages of such a course insuperable, it could hardly be quoted as a proof of its being an open question in 1875, but in what we may describe as Lord Carnarvon's best Olympian style, he continues :—

I see no reason to fear any inconvenience from my having alluded to it.

Yet a furious agitation was in vigorous operation, set in motion by the allusion to the subject in his first despatch.

Lord Carnarvon now gave up his point of separate representation, and agreed to accept the representation of the Colony as a whole. As to the number of delegates to which objection had been taken, he contended that no one party to a conference could settle the number of its delegates ; and, further, that the appointment of two delegates for the Cape as against one for each of the other states, rendered full justice to the interests of the Cape Colony. As to his suggestion of the persons to represent the Cape, he admits that it might have been better had he abstained in the first instance from suggesting any names, but this again is a small matter of detail in his eyes, and need not interfere with the larger question. As to Mr. Molteno's view that any proposals

should have originated with the Cape Colony, and that the power of self-government had been violated by the proposals coming from the Imperial Government :—

I trust it is needless for me to say that there is no one more anxious than I am to respect and support the rights of the colonies to exercise an uncontrolled discretion in the administration of their internal affairs when once it has been deemed advisable that they should be placed under responsible government.<sup>1</sup>

But, on the other hand, her Majesty's Government alone could invite independent communities to confer, and, in regard to the abstention or otherwise of the Cape Colony from the Conference, he writes, 'I should have desired to place no pressure on their decision.' What then are we to say of his action in addressing the people of the Cape Colony directly, and not through the Government, and of the whole agitation set on foot by Mr. Froude?

As to Sir Henry Barkly's despatch, in which he had stated, on the refusal of the Cape to join the Conference, that it did not appear to him that any advantage would accrue from his communicating with the other colonies or states, and that he would await fresh instructions before proceeding any further, Lord Carnarvon expressed surprise that the Governor should have forgotten his duties so far as to delay for an instant. He went on to say that if the Conference were held, neither Sir H. Barkly nor Sir Arthur Cunynghame, who had been mentioned in the first despatch, should preside, but that Sir Henry Bulwer, who had just arrived to take the place of Sir Garnet Wolseley as Governor of Natal, should preside at a Conference in which Natal, the republics, and Griqualand West would take part.

He finally desired the Governor to explain to his Ministers that 'he has been actuated by no desire to question or limit their discretion in any matter as to which they are responsible,' but that he would always 'be ready to allow to their

<sup>1</sup> *I. P.*, C—1399, p. 7.

opinions that weight to which they are entitled on account of the ability with which they have administered their local affairs.'<sup>1</sup> Lord Carnarvon's subsequent proceedings will prove to what extent he adhered to this statement and assurance, and of what value it was to Ministers.

In pursuance of the policy of appealing to the people, not through their Legislature and Government, but directly, he ordered by special despatch the immediate publication of this despatch,<sup>2</sup> as he had done of his original one. The action of Lord Carnarvon in appealing to the people of the Colony as apart from its Government was, as his own words proved, unconstitutional, and a precedent can only be found for it in the case of the French Government after the Revolution, when, affecting to distinguish between the Governments and the people over whom they ruled, it appealed to the people of the various nations of Europe, a pretence which was very bitterly resented by Great Britain as well as other countries. Mr. Froude also had his prototype in the case of America where the French Minister dared to appeal openly to the people against the policy of their Government. Of this action President Adams said the effect of the disposition to separate the people of the United States of America from the Government would be 'to produce divisions fatal to our peace'; it is exactly what Mr. Froude and Lord Carnarvon's policy were doing in the Cape, and it was one of the grounds on which it was objected to by Mr. Molteno.

In this despatch of the 15th of July Lord Carnarvon had referred to a practice which he stated existed in the largest colonies under responsible government, of Colonial Ministers transmitting through the Governor their views where important communications were received from her Majesty's Government. Thus instead of allowing the independent responsibility of the Cape Government Lord Carnarvon complains that the Cape Ministry have not furnished their

<sup>1</sup> *I. P.*, C—1899, p. 8.

<sup>2</sup> *Ibid.* p. 9.

'reasons,' and rebukes the Governor for not reminding them of their duty. To this the Ministers officially replied that they were not aware of the existence of such a practice, and they were supported by Sir Henry Barkly, who stated that the practice alluded to was not established in the Australian colonies up to the time he left them, and he gave grounds for thinking that while it might be an advantage in some respects, yet there would be a risk sometimes of the views of a Colonial Ministry being expressed in stronger terms on the spur of the moment than would be the case if they were conveyed through the medium of the Governor officially or by private correspondence.<sup>1</sup>

The Ministers stated that in compliance with the wish expressed in Lord Carnarvon's despatch, they had the honour to submit a Memorandum containing some of the more important reasons which induced them to adopt the view which they then took.

In transmitting this Memorandum Mr. Molteno took the opportunity of replying to a further letter which he had received from Lord Carnarvon, which ran as follows :—

(*Private.*)

July 21st, 1875.

MY DEAR SIR,—I have just received your letter and the mail leaves to-morrow, but I do not like it to leave without a few lines of acknowledgment.

I regret much that there should be any difference of opinion between us where, I doubt not, we both have the interests of the Colony so much at heart. I venture to think that there has been much misapprehension as to my intentions, and I can honestly say that it will give me the greatest personal gratification to find a mode by which in our different spheres of action we can work towards the common object which I am persuaded we have in view—the general welfare of South Africa. In spite of the momentary disagreement, I cannot easily abandon this hope, and I appreciate the expression of your belief that my wishes and intentions towards the Colony are as genuine as in truth they are.

Believe me, my dear Sir,

Yours very faithfully,

CARNARVON.

<sup>1</sup> I. P., C—1899, p. 29.

*(Private.)*

September 14th, 1875.

MY DEAR SIR,—I beg to thank your Lordship for your private communication of the 21st of July last, and to assure you that nothing could give me greater satisfaction than the privilege of co-operating with your Lordship in the promotion of all measures tending to the welfare of the people of South Africa.

I very deeply regret that in our respective spheres of action we continue to hold different views as to the best mode of attaining our common object.

The reasons upon which my views regarding the proposed Conference are based are stated in the accompanying Memorandum which, with the Minute covering it, will be submitted to your Lordship officially as soon as Sir Henry Barkly returns from Griqualand West.

Actuated as I have been throughout by no other motives than those of loyalty to her Majesty's Government and an honest desire to serve the best interests of this Colony, I have at this juncture deemed it due to your Lordship and myself to advise the propriety of holding a special session of the Colonial Legislature.

In pursuance of this advice our Parliament has been summoned to meet for the despatch of business on the 10th of November next; and it only remains for me to say that I shall be very much gratified if the course I have thus determined upon meets with your Lordship's approbation.

Believe me, my dear Sir,

Yours very faithfully,

J. C. MOLTENO.

The Right Hon. the Earl of Carnarvon,

&c. &c. &c.

P.S.—I send for your Lordship's information the enclosed,<sup>1</sup> which in no way exaggerates.

<sup>1</sup> *I.e.* a report of Mr. Froude's speech at Port Elizabeth. To this letter Lord Carnarvon replied as follows:—

Colonial Office, Downing Street,

October 30th, 1875.

MY DEAR SIR,—I am obliged to you for your letter of the 14th of September. I will, in answer to it, only say that, sorry as I am that there should be any difference of opinion between us, I am equally confident that nothing will be said, written, or done by either of us publicly which can be matter of regret on those questions on which we unfortunately differ.

I can have no hesitation in saying that in my opinion the advice which you have given Sir H. Barkly to summon the Parliament for the 10th prox. was quite right.

I remain, my dear Sir,

Yours faithfully,

CARNARVON.

Hon. J. C. Molteno.

This Minute<sup>1</sup> contains the deliberate and careful expression of Mr. Molteno's opinions in regard to the question of Confederation and the difficulties which at that time prevented its immediate acceptance. It commenced by drawing attention to the very indefinite character of the Conference proposed in the despatch of the 4th of May. There was no settled programme of the matters to be discussed. Subjects would be opened up for which some of the parties would be wholly unprepared, and upon which they would have received no instructions, and to which sufficient consideration would not be given. And it was further pointed out that such a Conference would tend to revive internal differences now happily forgotten, and would draw the Colony into territorial disputes with neighbouring states which were still unsettled.

The principal objects put forward were four in number, the Native Policy, the Sale of Arms and Ammunition, the Extradition of Criminals, and a Confederate Union. With reference to the subject of native policy the Ministers submitted that, looking at the extremely varied condition of the native races of South Africa a uniform native policy was neither desirable nor convenient. In regard to the Cape Colony itself, the state which had to deal with the greatest number of natives, it had been found impossible to lay down any fixed system. Native policy was a matter of compromise, constantly varying to meet the special requirements of each case. It had been found inexpedient to establish a uniform policy for a number of tribes loosely classed as natives, the exterior circumstances of which are extremely dissimilar. As to the danger of a widespread combination of natives, excited and fostered by observation of the disunion of the European communities, the Ministers remarked that such a probability was utterly unheard of in South Africa. In no former outbreak had the natives ever united under one head, even though branches

<sup>1</sup> The minute will be found *in extenso* in I. P., C—1899, p. 80.

of one tribe, but they submitted that if anything could tend to make the possible union of the natives as complete as was alleged in the despatch, it would be the adoption of a uniform system of native policy as therein suggested.

As to the expense of maintaining forces for guarding against the attacks of the natives, the Cape Colony alone maintained a considerable force. No doubt the unhappily disturbed state of Natal would render something of the kind necessary, but the Ministers stated plainly that they did not feel justified in taking any steps which might tend to place a heavier burden on the people of the Cape Colony by undertaking the defence of other communities, though, as on former occasions, the Colony, it was trusted, would be always ready to do its share towards maintaining the peace of South Africa and, if necessary, to assist neighbouring states.

With regard to the second subject, of arms and ammunition, no doubt it was desirable to prevent their reaching what are commonly called 'natives,' and the laws of the Cape Colony were framed and carried out with that view. The Ministers believed that this was also the case in Natal, the Orange Free State, and the South African Republic ; if it were not so with Griqualand West an amendment of the law there was easy. No Conference on this point seemed necessary.

The surrender and extradition of criminals were already provided for, except in the case of the Orange Free State, where a slight misconception, now nearly on the point of settlement, had retarded the final agreement.

And coming to the question of confederation, the Ministers submitted that, as it was now understood to be the principal object of the Conference, it would have greatly contributed to an understanding on the subject if it had been definitely stated what form was suggested, whether a confederation or a federal union. The uncertainty had given

rise to an agitation, founded on the somewhat vague terms of the despatch, for the revival in certain quarters of an attempt to divide the Colony, which in their opinion would be injurious to its credit and most prejudicial to the successful management of the natives. It was clear that the two independent republics were not yet prepared to join in any union under the British Crown, and it was remarked incidentally that while they were maintaining a perfectly friendly intercourse, with all interests in common, they had never sought a closer bond of union between themselves. Further, the Ministers desired to *call the attention of the Secretary of State to the present circumstances of the Colony, in which responsible government had only lately been established, which had just entered on the construction of large and important public works, involving heavy obligations, which rendered, in their opinion, the present a very inopportune time for violent political changes.*

Then followed a very important paragraph, which drew attention to the fact that there was no truth in the statement that the absence of any defined policy had placed the several communities of South Africa at great and serious disadvantages. On the contrary, owing to the differing characteristics of the various communities, it would at the present time be impracticable and inexpedient to lay down any fixed and definite policy which should govern all. Experience in South Africa had demonstrated that as the outlying communities became more settled their policy tended to assimilate to that of the older settlements, and Ministers were of opinion that to set up a hard and fast rule would retard rather than advance progress towards that union which was so much to be desired. The Ministers stated that they did not feel warranted in pledging the Cape Colony to a course which would make it in the smallest degree responsible for the future management of Natal, where a new policy was then being inaugurated which required the greatest possible



care and a very considerable amount of extraneous aid to be carried to a successful issue.

They added, in reply to the argument that the Conference was only to be deliberative, that Ministers could not but feel that by taking part in it the Colony would be to a certain extent bound, or at least placed in an awkward and invidious position, by any recommendation of the majority of the delegates with which it might not altogether agree; and they were convinced that little practical good would arise from any Conference at the present time, while, on the other hand, questions would in all probability be mooted which had better not be touched upon until they were ripe for settlement. The Ministers, in bringing the various matters to the notice of the Right Hon. the Secretary of State for the Colonies, expressed their thanks for the warm interest shown by her Majesty's Government in the affairs of South Africa, and assured him that, feeling as they did the greatest loyalty and affection for her Majesty, and having the utmost desire, whenever they could possibly do so consistently with the high trust reposed in them, to acquiesce in any proposal coming from her Majesty's Government, nothing but the gravest sense of the possible difficulties and detriment likely to arise in this Colony had actuated them in adopting the course which they had followed.

In conclusion, they felt it incumbent upon them to bring to the notice of the Secretary of State the inconvenient and, they ventured to think, unprecedented course adopted by an Imperial delegate or commissioner, Mr. Froude, in agitating and fomenting an agitation in the Colony against its Ministers and Legislature upon an important question affecting its interests—a course, they submitted, unknown in a Colony possessing free representative institutions, and likely to form a most inconvenient precedent. They were willing to give every consideration and publicity to any communication coming from his Lordship or any properly

accredited authority, but they were placed at a great disadvantage in having statements made under sanction and with the weight of his Lordship's name at public meetings and the like; and, in connection with the last paragraph, they annexed a copy of a speech which had just come to hand delivered by Mr. Froude on the 9th inst. at a public meeting at Port Elizabeth.<sup>1</sup>

This was the deliberate and formal opinion of those best qualified to judge on the spot of the wisdom or otherwise of Lord Carnarvon's policy. Lord Carnarvon made no attempt to confute it, and confined himself merely to the acknowledgment of the minute.<sup>2</sup> The fears which they felt as to what would follow if the policy were pressed have been amply borne out by the results which have accrued from the obstinate persistency with which Lord Carnarvon continued to force on the policy which those who spoke under sense of the responsibility of their position had so earnestly warned him against. As has already been mentioned, the High Commissioner himself was of the same opinion, and had warned Lord Carnarvon, in the strongest language which he was permitted to use, of the danger of the course upon which he was bent.

Lord Carnarvon had directed Sir Henry Barkly to permit Mr. Froude to see all the despatches received and sent upon the subject of confederation,<sup>3</sup> and, in pursuance of these instructions, Sir Henry Barkly desired to communicate the Minute of Ministers to Mr. Froude before it was sent to Lord Carnarvon; but Mr. Molteno held that this was unconstitutional, and distinctly refused to allow any unauthorised person to become privy to a communication made by the Ministers to the Governor for the information of the Secretary of State, and he declined in any way to recognise that gentleman. He referred to the English constitutional authorities in support of his opposition, and as there were

<sup>1</sup> *I. P.*, C—1899, pp. 80–83.

<sup>2</sup> *Ibid.* p. 37.

<sup>3</sup> *Ibid.* p. 29.

no precedents to the contrary, the Governor deemed it expedient in the interests of the Imperial Government not to provoke a Ministerial crisis by insisting upon his view in opposition to their advice; and, indeed, Mr. Froude himself eventually concurred in this view, that it would be better not to press matters to an issue on this point.<sup>1</sup>

This incident is fully described in the subjoined correspondence, from which it will be seen that Mr. Froude also pressed the Governor to inform him of the action which the Ministers were about to take on the assembling of Parliament. In view of the fact that Lord Carnarvon subsequently denied that Mr. Froude acted in any official capacity, it is important that this action of Mr. Froude's should be borne in mind:—

*Sir H. Barkly to Mr. Molteno*

Kimberley,

September 23rd, 1875.

MY DEAR SIR,—I have to thank you for your note of the 11th, and the various documents which accompanied it.

I return Mr. Fuller's account of his communications with Lord Carnarvon as to the Conference, which I perused with interest. I agree with you that the idea propounded by him, of letting the different colonies and states be represented on it by judges, presided over by Mr. Froude, is quite unworkable. It would be far better to let the Legislature of each colony or state select and instruct its own representatives. I am glad you sent copies of the Cabinet Minute and Memorandum with your private letter to Lord Carnarvon, without waiting till I could do so officially. I am afraid he will be very indignant at finding his notions of native policy, &c., by no means too tenderly treated; and your protest against Mr. Froude's anti-Ministerial agitation will not tend to mollify his Lordship.

You have, however, a good right to speak openly in your own defence, and are in a position to act independently, which, unfortunately, I am not so long as I remain in the service of the Crown.

You do not allude to any desire to make the Memorandum public before Parliament meets; but whether you do so or not,

<sup>1</sup> I. P., C—1899, p. 29.

I trust you have no objection to my communicating it at once to Mr. Froude.

If I do not, he will be sure to accuse me hereafter of having been privy to an attack on his conduct behind his back, and as Lord Carnarvon has directed me to communicate to him everything of importance in relation to the proposed Conference, it will be contended that so important a document should not have been withheld.

I therefore enclose with this a few lines to Mr. Froude, under flying seal, containing copy of your memorandum (made by my son), and unless you entertain any very strong objections to this course, I shall be obliged if, after perusing what I have said on the subject, you will forward it to Mr. Froude with as little delay as possible.

You will have in any event two mails' start of him with Lord Carnarvon, who, however, will most probably send your communication to his agent for report before he acknowledges it.

I am satisfied you have taken the most manly and judicious course in calling Parliament together, and it will certainly allay the agitation that was being got up in the east, and give people time for a little reflection. Mr. H. W. Pearson, as Chairman of the Port Elizabeth meeting, having forwarded to me a copy of the resolution calling on me to assemble Parliament, I thought the opportunity a good one to place dates upon record, and have informed him through the private secretary that I sanctioned on the 4th inst. your summoning Parliament for the despatch of business on the 10th November. . . .

Yours very truly,

HENRY BARKLY

Mr. Molteno, in his reply to Sir H. Barkly, says :—

September 30th, 1875.

The most important matter in your letter is that relative to Mr. Froude, and your desire that he should be furnished with our Minute and Memorandum. We have had a long discussion on the matter this morning, and I am afraid that the conclusion arrived at is that 'I do entertain very strong objections to the course proposed, of communicating the Minute and Memorandum to Mr. Froude.' He has not yet arrived, but is certain to be here by the next steamer from Port Elizabeth. I have a letter from him informing me of this, the full text of which I have no time to communicate to-day. There is not much news for the post to carry, but possibly by Saturday we may have the *Syria* in. We have, however, just received a telegram from Uitenhage, to the

effect that, at the public meeting there on the subject of the Conference, Paterson and his party have sustained a serious defeat, a resolution approving of the course pursued by the Government having been carried by a large majority. Here then are unmistakable signs of a reaction, and I think it will give Mr. Froude and his supporters some trouble to check it.

Believe me, my dear Sir,

Yours very truly,

(Signed) J. C. MOLTENO.

And again :—

October 2nd, 1877.

With reference to what I wrote about the proposal to furnish Mr. Froude with copy of our Minute and Memorandum, looking to the now almost certain return of your Excellency by the 18th, and that Mr. Froude will not be here before Monday next (4th inst.), and entertaining 'the very strong objections' which I do to such a course, which would in our opinion virtually amount to publication, and which we do not consider advisable, it will be better to allow the matter to remain in abeyance until such time as I may have the opportunity of talking it over with your Excellency. Under present circumstances it could hardly be expected that we should be very willing to play into Mr. Froude's hands, and, in concert with Mr. Paterson, give him an opportunity of plotting for our overthrow at the approaching session of Parliament. At the same time, I hope you will not think that I am in the least insensible or indifferent to the very awkward and embarrassing position in which you are placed, or that I would hesitate one moment to take any amount of additional responsibility upon myself in order to leave your Excellency harmless, if it were at all possible to do so with due regard to the interests of the Colony. Having so far decided not to send copy of memorandum, I have not thought it necessary to send your Excellency's note to Mr. Froude, which I presume it was your intention that I should do in the event of coming to a different conclusion.

Believe me, my dear Sir,

Yours very truly,

(Signed) J. C. MOLTENO.

Sir Henry Barkly replied as follows :—

Beaufort West :

October 10th, 1875.

MY DEAR SIR,—I regret to learn that you had not forwarded to Mr. Froude either copy of the Ministerial Minute on Lord Carnarvon's second despatch, or my letter sent to your care. I

never doubted that if you would not agree to the communication of the Minute to Mr. Froude, which I thought not impossible, you would send on my letter to him with a memorandum saying that you did not consider it expedient to comply with my request. This would have left the responsibility of the act on the Ministry, and though both Mr. Froude and Lord Carnarvon would probably maintain that as the representative of Imperial interests I ought not in such a case to have deferred to your advice, I might have defended my course. As it is, I am placed in a most embarrassing position with regard to both of them.

I am anxious, as you know, to let responsible government have fair play at the present crisis, but I am bound to obey the positive orders of the Imperial Government, and as you are aware, Lord Carnarvon has not only given me general directions to communicate to Mr. Froude, as the agent of the Government in the Conference, anything of importance bearing on the subject, but sent a special order that his despatch of the 15th of July should be made known to him. Your Minute on that despatch would certainly fall within that category, and as it happens that Mr. Froude's conduct is impugned in it, that gentleman may not unnaturally assert when it is sent out to him a month hence by Lord Carnarvon that it was on that very account withheld from him. On the other hand, supposing the Secretary of State to admit that your representations as to the course adopted by Mr. Froude are well founded, his Lordship might turn round on me and say: 'If you had made Mr. Froude acquainted with the objections of your Ministers he would probably have altered his course!'

For these reasons I must ask you to forward my note to Mr. Froude either with, as I still hope, or without the Minute.

There is, however, another and a stronger reason for my wishing the Minute sent. The day I left the Diamond Fields I received an 'official' from Mr. Froude, in which he in effect demands that I should make known to him, as the agent of the Imperial Government, 'unreservedly beforehand the course that the Colonial Government intends to pursue on the reassembling of Parliament.'

This letter I shall not acknowledge till I return to Cape Town, but if I am not in a position then to refer him to the Minute already sent as the best answer I can give, I shall be obliged to address you officially for this information, and I cannot help thinking that if you refuse it the fact will be turned to your disadvantage with the country.

Yours very truly,  
HENRY BARKLY.

The Hon. J. C. Molteno.

Mr. Molteno had had the advantage of the full support of the Governor in all that he had hitherto done, but now the direct instructions of the Secretary of State placed them in a position of apparent antagonism. Sir Henry Barkly had stated his objections to Lord Carnarvon, and when Lord Carnarvon still persisted Sir Henry Barkly loyally carried out his instructions. It rested with Mr. Molteno alone to vindicate the position of the premier of a self-governing colony against all assaults. He was not found wanting. The tenacious adherence to constitutional rights which has been such a characteristic of Englishmen in their contests with arbitrary power, whether in the mother country or in the colonies, was now further exemplified in Mr. Molteno's refusal to depart from constitutional precedent at the bidding of Lord Carnarvon, and the correspondence below shows that Mr. Molteno took upon himself the full responsibility of not allowing Mr. Froude to see the Minute.

On the 9th of October, 1875, Mr. Molteno wrote to Sir Henry Barkly:—

I forget whether I mentioned in my last that Mr. Froude had applied to Capt. Mills for copy of the Minute and Memorandum in consequence of a communication from your Excellency, but I have informed him through Captain Mills that I could not be a party to allowing anyone to see under existing circumstances any Minute of Ministers, not mentioning your Excellency's name at all, and taking whatever responsibility may attach to this course upon myself.

The Governor replied on October 14th: 'I notice what you say as to the correspondence with Mr. Froude, and am obliged to you for taking on your own shoulders the responsibility of refusing to let him see your Minute. It is no use saying more until we can meet and talk matters over at leisure.'

Mr. Froude made an official application to Captain Mills, the Under Colonial Secretary, asking for a copy of the

Minute, and was informed that 'Mr. Molteno regrets that he cannot at the present time and under existing circumstances be a party to passing the Minute alluded to in your letter into the hands of anyone not entitled to see it.' Mr. Froude was not content with this reply, but wrote himself to Mr. Molteno, obviously with a view to using his reply against him with Lord Carnarvon—we can only marvel at the colossal impudence of the assumption that Mr. Froude was a censor of the acts of the Prime Minister! Without reference to the reply already received from Captain Mills, he wrote to Mr. Molteno direct, whereupon Mr. Molteno referred him to Captain Mills' reply, and thereupon Mr. Froude writes:—

— Hotel :

October 13th.

DEAR MR. MOLTENO,—I have received Captain Mills' letter, but I was not sure that I understood it, and I thought it better to apply to you officially, since Captain Mills told me that you had no objection to my doing so—that *I might be able to send your reply to Lord Carnarvon.*<sup>1</sup>

I am obliged to you for yourself writing to me, and remain

Faithfully yours,

J. A. FROUDE.

The matter was then reported to Lord Carnarvon by the Governor, who said that as the Ministers referred 'to the English constitutional authorities in support of the position they had assumed, and as precedents to the contrary were wanting, I deemed it imprudent in the interests of the Imperial Government to provoke a Ministerial crisis on a side issue of this sort by acting in opposition to their advice.'<sup>2</sup> To this despatch no answer from Lord Carnarvon has been made public.

Replies were now received from the other parties who had been invited to the Conference. In the case of the Crown Colony of Griqualand West, there was naturally no

<sup>1</sup> The italics are the author's.

<sup>2</sup> I. P., C—1899, p. 29.



difficulty, and the Lieutenant-Governor stated that he was ready to take part in a Conference immediately. Yet this choice of a representative was open to the gravest objections. Mr. Southey had succeeded in bringing the Colony into a state of rebellion, and was actually on the point of being recalled by Lord Carnarvon himself.

A reply was received from the Governor of Natal to the effect that the Government in Natal was 'prepared at any moment' to enter into the Conference. It did not appear to be necessary even to go through the form of laying it before the Legislative Council, and the reply was sent by the Governor after laying it merely before his Executive Council.<sup>1</sup> In this case the proposed representative was equally unsatisfactory—Mr. Shepstone was designated, but he had controlled the native policy of Natal for many years past, and Lord Carnarvon had declared that native policy a failure, and was arranging for its abolition—and when the Colony had a chance of being heard, the Legislative Council took this view, and appointed two delegates to accompany Mr. Shepstone.

Lord Carnarvon had carefully matured his plans. He had seized the opportunity afforded by the Langailele disturbance to remodel the constitution of Natal with a view to securing its unqualified adhesion to his policy.<sup>2</sup>

The Natal Legislature had passed a resolution signifying its disapproval of the constitution as then existing, with a view to a more liberal constitution taking its place. Lord

<sup>1</sup> I. P., C—1899, p. 25.

<sup>2</sup> It is interesting to observe the manner in which history repeats itself. Lord Carnarvon, in his reactionary policy towards South Africa, pursued the course which had been followed by England in the case of the American Colonies, and which in their case led eventually to a severance of the connection with the mother country. The Home Government had endeavoured to control the Colonial Legislatures by interfering with their constitution, and in the case of Massachusetts they had actually abolished the Free Upper Chamber, and had substituted a chamber composed entirely of nominees of the Crown. Lord Carnarvon now followed a similar course in the case of Natal. See Lecky, *England in the Eighteenth Century*, vol. iv. p. 166.

Carnarvon took them at their word, and determined to give them a new constitution, but in the reverse direction to that which they had indicated—King Stork was to succeed King Log. We have had occasion to point out elsewhere the intimate connection between military organisation and despotism;<sup>1</sup> Lord Carnarvon instinctively knew this,<sup>2</sup> and turned to the most distinguished military leader of the day. He selected Sir Garnet Wolseley, who had just brought his expedition to Coomassie to a successful conclusion; this officer was informed that his duties would be of a 'civil rather than of a military nature,' because, as Lord Carnarvon explained, 'he saw no reason to entertain any apprehension from the present condition of South Africa of an interruption of the peaceful relations which have so long been maintained between the natives and the European colonists.'<sup>3</sup> He was to devote his attention to the defence of the Colony, the police force, and the supply of arms and ammunition to natives, but the Secretary of State significantly adds:—'I shall take other opportunities of referring to some further questions which it will be desirable for you to consider.'<sup>4</sup> No public mention was made of any changes in the constitution; this was quite in accord with Lord Carnarvon's way of doing business.

The drastic character of the policy and the despotic method to be adopted were indicated in the same despatch. It said that her Majesty's Government 'desire you to co-operate as far as possible with the Colonial Legislature, and to endeavour in every case to *procure its voluntary concurrence before insisting* upon any material alterations in matters respecting which the elected members may entertain

<sup>1</sup> See *A Federal South Africa*.

<sup>2</sup> When he had another appointment to make he again chose a military officer, Colonel Owen Lanyon, to be Governor of Griqualand West in succession to Mr. Southey.

<sup>3</sup> Mr. Froude said Sir Garnet had been sent out to protect Natal. See *supra*, p. 363.

<sup>4</sup> *I. P.*, C—1197, pp. 6-7.

decided opinions.'<sup>1</sup> And it proceeded to mention that he would be allowed to take four military officers, to whom he might assign such special duties as he might think fit, in addition to the ordinary functions of private secretary and aide-de-camp. These officers were Major Butler, Colonel Colley, Major Brackenbury, and Lord Gifford. Sir Garnet was to be absolute despot, he was relieved from the control of his superior officer, General Cunynghame, who was to aid him with any forces he might demand,<sup>2</sup> and he was also rendered independent of the High Commissioner, a very unusual step.<sup>3</sup> Thus he was made absolute dictator of Natal.

A distinguished officer to whom the interest associated with the completion of a successful military expedition attached, would command admiration and influence in any part of the Empire, but in a colony long neglected and unknown to the English public, this influence was of a powerful character. Sir Garnet made use of it to the full. He gave brilliant social gatherings; he alternately threatened and cajoled; now Delagoa Bay was to be developed in opposition to Natal; at another time social attention was freely bestowed upon recalcitrant legislators; he informed the Natal public in one of his first speeches that 'instead of attending to agriculture and commerce, too many of Natal's public men have for their own personal objects devoted their time and their talents to party politics.' He at first proposed to abrogate the constitution altogether by a stroke of his pen, but he found on taking legal advice that this could not be done even by the Secretary of State himself, and that the Imperial Parliament alone could do it; in consequence he proceeded within the lines of the existing constitution.

Colley was appointed Treasurer, and Butler was appointed Protector of Natives. These positions carried *ex officio* seats in the Legislative Council. Napier Broome, who came out with Sir Garnet Wolseley, was appointed

<sup>1</sup> *I. P.*, C. 1187, p. 8.

<sup>2</sup> *Ibid.* p. 7.

<sup>3</sup> *Ibid.* p. 9.

Colonial Secretary. The services of the brilliant staff were not alone utilised in official positions. Articles appeared in the Press written by them, and as was freely stated at the time, 'social festivities as well as arguments are brought into operation by the hero of Coomassie,' and a colonial judge was reported to have said that 'Sir Garnet Wolseley was drowning the independence of Natal in champagne and sherry.'

In the first session of the Council a new constitution for Natal was published. The Legislative Council was to be raised to thirty members instead of twenty by increasing the number of Government nominee members from five to fifteen. Sir Garnet adroitly held out a bait to the coast members, who were interested in the culture of sugar, tea, and coffee, that a considerable development would be given to their industry by the Government aid extended to assist them in importing coolies from India. The unofficial votes were thus divided. Of the six coast members five supported the Governor's measure, while all the midland and upland and one member for Durban were against it.<sup>1</sup> By this means, and by aid of the various influences to which we have already referred, the modification of the constitution of Natal was carried, though not exactly in the form proposed, as during the discussion it became necessary to reduce the nominee members to thirteen.

The public began to perceive that the interests of Natal were not the sole object of Sir Garnet's solicitous care, and it began to be asked at this time, whether Sir Garnet Wolseley was revolutionising the Natal Parliament in order to be able to coerce it into any proposal he might approve for annexation to or confederation with the Cape Colony.

<sup>1</sup> We may incidentally observe here that Lord Carnarvon's policy was responsible for bringing upon South Africa the serious evils of the 'Coolie Curse,' growing evils of great magnitude with which Natal, the Transvaal, and Orange Free State have been called on to deal already, and with which the Cape Colony cannot much longer hesitate to deal.

We have seen that as a result Sir Garnet Wolseley, now absolute dictator, did not even consider it worth while consulting the new Legislature before returning an answer to the High Commissioner that Natal *was at any moment prepared to enter into a Conference.*<sup>1</sup>

With regard to the Free State, a lengthy correspondence had followed upon the arbitrary act of the British Government in annexing the Diamond Fields, while the matter was still in dispute between the High Commissioner and the President. Mr. Molteno had steadily refused to take any part in this quarrel. It had begun before responsible government was in operation, and he had opposed it so far as it was then possible in Parliament, and although a qualified resolution had been carried by a majority of one vote against him in favour of annexation, no Act had ever been introduced for this purpose, as it was felt that it would have no chance of success. Mr. Molteno did not consider that his Government was in any way bound to take action by that resolution, and in this he was supported by a vote of the Cape Parliament in the session of 1875.

Whilst the dispute remained unsettled, with that equity and fairness and consideration, whether to individuals or to states, which characterised him, Mr. Molteno refused to take any part in the quarrel, or take advantage of it for the benefit of the Cape Colony, which was bound by every tie that could connect two peoples to those of the Free State, and he refused to be a party to an injustice which had been done to the Free State.

Lord Carnarvon had from time to time pressed the Governor to carry out the resolution above referred to and annex Griqualand West to the Cape Colony. Lord Carnarvon appeared to think that the refusal was due on the

<sup>1</sup> Later on it will be found that Sir B. Frere was sent out with definite instructions to annex Natal to the Cape, though the former had not been consulted even on the subject. See *infra*, vol. ii. p. 184.

part of Mr. Molteno to a selfish fear of the expense which might be involved, and in the despatch of the 4th of August he again referred to the views which he had expressed in the preceding year as to the moral obligations of the Cape Parliament in connection with the annexation of the territory in question. Mr. Molteno replied that if Lord Carnarvon's views had been communicated to Parliament they would certainly not have been acquiesced in.<sup>1</sup> The matter had practically come to an *impasse* as between the Free State and the Imperial Government and neither side would yield.

Lord Carnarvon now put it to the Free State that there would be an opportunity of obtaining a consideration of their claims if they took part in the Conference; he offered to meet a request of the President that he should be permitted to communicate more directly with the Imperial Government than through the High Commissioner, while a further bait was held out in the shape of a share of the Cape customs duties.<sup>2</sup> The Free State returned a courteous but ambiguous answer in which the President thanked Lord Carnarvon for the interest he was taking in the affairs of South Africa, but declined to commit himself to any assent to a Conference in which Griqualand West would be represented, as this was the very territory the ownership of which was still in question, and in addition he would not consent to the matter between him and the Imperial Government being submitted to the judgment of such a Conference as Lord Carnarvon proposed; he held that it was a matter of right and justice, and as such to be settled between him and the Imperial Government direct.

Would it be wise for the Free State to enter a Conference composed of four British delegates and two Republican, with Lord Carnarvon himself for final referee? As was said at the time in the Free State, 'It becomes now

<sup>1</sup> *I. P.*, C—1399, p. 56.

<sup>2</sup> *Ibid.* pp. 15-17.

apparent that the Conference is only a snare. Let us once put our foot in it, and with all the politeness of which Earl Carnarvon is capable, we will be told that, "the days of small States have gone by." Mr. Brand eventually agreed that if Griqualand West were excluded he might take part in a Conference merely with a view to consider the question of the supply of arms and ammunition to the natives and native policy, but he said respectfully and firmly that he could not take part in any discussion in which he might be invited to surrender the independence of the State.<sup>1</sup>

This refusal disposed of Mr. Froude's principal argument for a Conference. The Transvaal, whose President was now in England, returned an answer through its Acting President, Mr. Joubert, that he would propose to his executive to send a delegate to the Conference. But he was careful to state that he accepted to the full his Lordship's assurances that it was not his wish to involve the independent states of South Africa through this Conference in any loss of or interference with the independence which Great Britain had recognised.<sup>2</sup> The two Free States perceived that underlying all this apparent friendliness there might be a danger to their independence, which they declared must be maintained 'against all comers whether hostile or professedly friendly.' Although Lord Carnarvon had said in his despatch of the 4th of May that the action, whether of the British Colonies or of the Dutch States, must be spontaneous and uncontrolled, yet he had given a hint of his object in his despatch of the 24th of January,<sup>3</sup> where he speaks of 'the resumption of the connection of the two Republics with the British Crown,' and states that it would be a most desirable and valuable result.

It now became evident even to Lord Carnarvon that

<sup>1</sup> *I. P.*, C-1899, p. 46.

<sup>2</sup> *Ibid.* p. 20.

<sup>3</sup> *Ibid.* p. 90, par. 19.

there were difficulties which stood in the way of an immediate Conference. Parliament was now about to meet. Public feeling was very excited. As we have already seen, meetings had been held in various parts of the country, organised by the party who were opposed to Mr. Molteno's Ministry. Resolutions had been passed condemning the action of the Ministry and Parliament, and thanking Mr. Froude and Lord Carnarvon for the policy which they had announced. At these meetings no discussion was permitted, all the speakers were in favour of the resolutions, so that there had been no real consideration of the difficulties of such a policy. Nevertheless there were signs that the common sense of the country was not in accord with these noisy organised meetings. Mr. Vintcent, an important member of the Cape Parliament, had addressed his constituents at length upon the subject, and had issued a manifesto pointing out the danger of the policy which it was suggested the Cape should follow, and supporting in the fullest manner the action which the Ministry had taken as being in accord with the true interests of the Cape Colony. He drew attention to the fact that Lord Carnarvon had disclosed his real purpose in his instructions to Sir Garnet Wolseley, written only nine days after the famous despatch of the 4th of May. While in the latter he put federation in the background as an incidental matter, in the former he writes : 'Federation is an object of high importance which you should not lose sight of, and for the achievement of which you should not spare any effort.' These instructions, he averred, were addressed to a Governor who was destroying the representative institutions of Natal, and in his opinion showed how Lord Carnarvon meant to force Confederation on South Africa.

Shortly before Parliament met a very large public meeting had been called at Cape Town, with a view to discussing what should be the action of the Cape Parlia-



ment on its meeting for the transaction of business. The whole policy of Mr. Froude and his action were freely discussed on both sides, but the weight of argument was very largely in favour of those who objected to the course which he had pursued, and the resolutions passed were such as to fully support the Ministry in the action which it had taken. There had been further signs of a reaction against Mr. Froude, for a meeting at Uitenhage, almost the centre of Mr. Paterson's influence, had passed a resolution supporting the Ministry. The opposition to Mr. Molteno had been conducted in the bitterest manner. As is usual, when party feeling runs high, Mr. Molteno had been accused personally, and was very sore at the charge, of concealment of facts; it had been stated that he had been consulted by Mr. Froude on his first visit,<sup>1</sup> and had said that he was favourable to a policy of confederation. The Dutch press of Cape Town were specially bitter in attacking him.

There had been no opportunity for the Ministry to defend itself, or to state its case in public. When Mr. Merriman had risen at Uitenhage he had been shouted down by Mr. Paterson's supporters, who had come there in large numbers; and Mr. Froude having accused the Molteno Ministry of disloyalty at Port Elizabeth and Grahamstown, actually sought an *ex post facto* justification for this in the opening words of Mr. Merriman's speech. Mr. Merriman had drawn attention to the fact to which Mr. Froude had himself alluded in his Port Elizabeth speech, that it would be impossible to conduct the Government of the country if emissaries from home were to come and interfere in the internal concerns of the country in the way Mr. Froude had done. The partisans of Mr. Froude, and he himself, after the meeting, said that Mr. Merriman had used the word 'foreign' as applying to the British Government, and Mr. Froude had officially written to the Governor to complain of what he alleged were

<sup>1</sup> See *supra*, p. 412.

Mr. Merriman's words. Upon consulting the reports in the various public prints no such statement appeared. Mr. Froude admitted that he himself was deaf in one ear, and could not therefore be certain what had been said, but upon the Governor, at Mr. Froude's instance, putting the question to Mr. Merriman, he immediately replied with an absolute denial of Mr. Froude's statement and suggestions.

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